

APPENDIX A

LEA as *Lead Agency* and Decision-Making Body for a Solid Waste Facility Permit

After accepting an application for a SWFP as complete, the LEA needs to determine if the activity is subject to CEQA. Additional information may be required in order to make this determination. If an LEA approval is not required or if the LEA's approval is ministerial (i.e., requiring no agency discretion or judgment), then the LEA is not a lead agency for the proposed project. Another agency approval may require that a CEQA document be prepared. *CEQA Guidelines Section 15060*

If a discretionary approval is required and the activity may cause a physical change to the environment then the activity requires CEQA review prior to approval, the LEA should consult with possible responsible and trustee agencies to determine if the activity as described in the permit package may require the preparation of an environmental document, or if it is statutorily or categorically exempt from CEQA. § 15061

If it is determined the activity is not a project, a statutory exemption may apply, a categorical exemption may apply, or if it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to further environmental review (projects involving construction are generally not exempt). The LEA should develop a proposed Notice of Exemption or the equivalent (letter, memo) and make it part of the permit package if it is determined that an exemption is appropriate. *Article 18 and 19 of the CEQA Guidelines and § 15062(b)*

(Optional) After approval of the activity (issuance of the permit) for which an exemption is used, a Notice of Exemption may be filed with the County Clerk and the State Clearinghouse. § 15062(c)

If the LEA determines the activity is not exempt from CEQA, then the LEA must determine if a Negative Declaration (ND), Mitigated Negative Declaration (MND) or an Environmental Impact Report (EIR) is required. (Note: Preparation of an Initial Study will assist in determining potential significant effects to decide if an EIR is required, a MND can be prepared, or if a ND is appropriate) § 15063

If informal consultation with possible responsible and trustee agencies has not yet taken place, they should be involved in the development process at this time. It would be helpful to the consulted agencies if the Initial Study (IS) was included with the consultation request, however, this is not a requirement. § 15063(g)

If not done previously, complete an IS to determine if each individual proposal within the proposed project, as described in the permit package, will have a significant effect on the environment. § 15064

If there is no substantial evidence that the project or any of its aspects may cause a significant effect on the environment, then a Negative Declaration may be developed. §§ 15063(b)(2) and 15070

If it is determined that there may be a significant effect on the environment and the project proponent can modify the project so the effects can be avoided or reduced to less than significant, then a Mitigated Negative Declaration may be developed. §15070(b)

If it is determined that there may be a significant effect on the environment and mitigations measures are not a part of the project or can not reduce the effects to less than significant, then an Environmental Impact Report must be developed. If it is obvious, without an IS, that there will be a significant effect on the environment and mitigation measures cannot reduce the effect(s), an IS is not required for the preparation of an EIR. §§ 15063(b), 15070(b) and 15063(a)

Negative Declaration (ND)

If a Negative Declaration is to be developed and public consultation has not yet taken place, the LEA should consult with all responsible and trustee agencies prior to developing the proposed ND. § 15063(g)

The ND consists of the completed Initial Study check list with explanatory text of all entries, combined with the project description, project location map and the finding of no significant impacts. This combined document needs to be circulated for review and comment. §§ 15063(d) and 15071

The LEA should complete a Notice of Completion (NOC) and attach it to the ND documents to be circulated through the State Clearinghouse for state agency review and to set the state review period. Notice should also be sent out by newspaper, direct mail, or posting, for the 30 day public review period. The ND document should be made available for all wishing to comment. §§ 15072, 15073, and 15200 et seq.

The LEA shall consider the proposed ND and any comments received during the public review period prior to approval of the SWFP. This may require the proposed ND to be revised. The LEA should be on record as adopting the ND when making the approval. § 15074

After the LEA approves a project for which an ND has been adopted, a Notice of Determination (NOD) shall be filed with the County Clerk and the State Clearinghouse. § 15075

Mitigated Negative Declaration (MND)

If a Mitigated Negative Declaration is to be developed and consultation has not yet taken place, the LEA should consult with all responsible and trustee agencies prior to developing the proposed MND. § 15063(g)

If the Initial Study identified potentially significant effect on the environment but the project is modified by the applicant so that the impacts can be avoided or mitigated to less than significant, then a MND should be prepared. § 15070(b)

The MND consists of the original completed Initial Study check list with explanatory text, combined with the revised project description (revised to include the needed mitigation measures), project location map and the finding of no significant impact. This combined document must be circulated for review and comment. §§ 15063(d) and 15071

The LEA should complete an NOC and attach it to the MND documents to be circulated through the State Clearinghouse for state agency review and to set the state review period. Notice should also be sent out by newspaper, direct mail, or posting, for the 30 day public review period. The MND document should be made available for all wishing to comment. §§ 15071, 15073, and 15200 et seq.

The LEA shall consider the proposed MND and any comments received during the public review period prior to approval of the SWFP. This may require the proposed MND to be revised. The LEA should be on record as adopting the MND when making the approval. § 15074

An enforceable mitigation reporting or monitoring program should be developed and made part of the approval. *Public Resources Code, Section 21081.6*

After the LEA approves a project for which an MND has been approved, an NOD shall be filed with the County Clerk and the State Clearinghouse. § 15075

Environmental Impact Report (EIR)

If an Environmental Impact Report is to be developed the LEA shall consult with all responsible and trustee agencies through a Notice of Preparation (NOP) prior to developing the draft EIR. § 15082

The LEA develop and sends out a NOP to all local responsible and trustee agencies and the State Clearinghouse which will circulate it to state responsible and trustee agencies.
§ 15082(d)

After considering input from consultation, input from the NOP, and any scoping sessions, develop a draft EIR.
§§ 15083, 15084 and 15120 et seq.

An NOC should be completed and attached to the draft EIR to be circulated through the State Clearinghouse for state agency review and to set a state review period. Notice should also be sent out by newspaper, direct mail, or posting, for the 45 day public review period. The draft EIR should be made available for all wishing to review and comment. §§ 15087 and 15200 et seq.

The LEA receives and responds to comments. The response to comments may take the form of a revision to the draft EIR or may be a separate section in the final EIR. § 15088

The LEA shall respond to comments by commenting agencies in writing within 10 days prior to certifying the EIR. § 21092.5

Develop and certify a final EIR. §§ 15089, 15090, and 15132

Consider the final EIR when making the approval of the activities. § 15090

Make written findings accompanied by a brief explanation of the rationale for each finding. § 15091

Where the LEA allows the occurrence of significant effects which are not substantially mitigated, the LEA shall make a written statement of overriding considerations stating the specific reasons to support its action based on the final EIR and/or other information in the record. § 15093

Develop and make part of the approval an enforceable mitigation reporting or monitoring program. § 21081.6

After the LEA approves a project for which an EIR was considered, a Notice of Determination shall be filed with the County Clerk and the State Clearinghouse. § 15094

**CEQA Appendix B:
Statutory Authority of State Departments**

4

Office of Planning & Research	Native American Heritage Commission	Water Resources	State Water Resources Control Board	State Reclamation Board	State Lands Commission	State Wildlife Management Board	Parks and Recreation	Forestry	Fish and Game	Energy Commission	Conservation	Colorado River Board	CTDPA	Coastal Commission	Boating and Waterways	
			*								*		27			1. Air quality and air pollution control
			*						*							2. Chemical contamination and food products
		*	*		*		*		*		*	H	27	26	*	3. Coastal areas, wetlands, estuaries, waterfowl refuges, and beaches
			21										27	26		4. Congestion in urban areas, housing, and building displacement
			*					22	*			H				5. Disease control
		*					*	23	*	*		H		26	*	6. Electric energy generation and supply
							19									7. Environmental effects with special impact in low-income neighborhoods
		*		20	*		*		*		*	H	27	26		8. Flood plains and watersheds
																9. Food additives and food sanitation
			*				*	22	*			H				10. Herbicides
	*				*		*						27	26		11. Historic and archaeological sites
*							*		*				27	26		12. Human ecology
			*						*			H				13. Microbiological contamination
					*		*		*	*	*		27	26		14. Mineral land reclamation
					*				15	*	*			26		15. Natural gas energy development generation and supply
									16							16. Navigable airways
				20	*				*			H	27	26	*	17. Navigable waterways
									17							18. Noise control and abatement
	*				*		*		*		*	H	27	26	*	19. Parks, forests, trees and outdoor recreation areas
		*	*				*	22	*			H				20. Pesticides
									*	*		H				21. Radiation and radiological health
*		*	*		*		*		*	*	*	H	27	26	*	22. Regional comprehensive planning
							*	22	*							23. Rodent control
		*	*		*				18		*	H		26		24. Sanitation and waste systems
			*						*							25. Shellfish sanitation
		*	*		*		*		*		*	H	27	26		26. Soil and plant life, sedimentation, erosion, and hydrologic conditions
			*			*	*		*			H				27. Toxic Materials
			*							*	*					28. Transportation and handling of hazardous materials
		*	*						*		*	H	27	26	*	29. Water quality and water pollution control
			21				*		*			H	27	26		30. Fish and wildlife
		*		20			*					H	27	26		31. Activities with special impact on regional jurisdictions
		*	*	20			*	23	*			H			*	32. Water project formulation
		*	21		*				*	*	*	H				33. Geothermal energy
			21		*				*	*	*			26		34. Oil and petroleum development, generation and supply
*					*				*	*	*		27	26		35. Statewide land use patterns
*	*				*				*	*	*		27	26		36. Open space policy
*										*						37. Statewide overview — cumulative impact of separate projects
		*								*	*		27	26		38. Seismic hazards

Appendix B Footnotes

1. Food and Agriculture- Effects on plants and animals.
2. Food and Agriculture- Protection of food and fiber.
3. Food and Agriculture- Agricultural, dairy and feed lot Systems.
4. Food and Agriculture- As pertains to transportation, handling, storage and decontamination of pesticides.
5. Food and Agriculture- Pesticide effects, predatory animal control, bird control.
6. California Highway Patrol- Enforcement of motor vehicle regulations.
7. Health Services - Beach sanitation, water pollution, solid waste and mosquito control.
8. Health Services - Pertains to health component.
9. Health Services - Most if these are strongly related to health.
10. Health Services - Pertains to noise.
11. Health Services - Pertains to personal and environmental health components.
12. Health Services - As it may pertain to human health hazards.
13. Health Services - Pertains to comprehensive health planning.
14. Colorado River Board - As pertains to the Colorado, New and Alamo Rivers.
15. Fish and Game - As field development and distribution systems may affect fish and wildlife.
16. Fish and Game - As may affect migrating and resident wildlife.
17. Fish and Game - As excessive noise may affect wildlife.
18. Fish and Game - As water quality may affect fish and wildlife.
19. Parks and Recreation - In impacted areas only.
20. Reclamation Board - In areas of Board's jurisdiction only — the Sacramento-San Joaquin Valley.
21. State Water Resources Control Board - As may pertain to water quality.
22. Forestry - With respect to forest land.
23. Forestry - (6) and (32) - As related to fire protection or State (fire protection) responsibility land.
24. Air Resources Board - (4), (22), (32), (33), and (36) - As may pertain to residential, commercial, industrial or transportation growth.
25. San Francisco Bay Conservation and Development Commission - (3), (17), (19), and (30) - With respect to San Francisco Bay, Suisun Bay and adjacent shore areas.
26. California Coastal Commission - (3), (4), (6), (8), (11), (12), (14), (15), (17), (19), (22), (23), (26), (29), (30), (34), (35), and (36) - With respect to effects within the California Coastal Zone.
27. California Tahoe Regional Planning Agency- With respect to effects in the Tahoe Basin.
28. Native American Heritage Commission - With respect to places of special religious or social significance to Native Americans including archaeological sites, cemeteries, and places of worship.

NOTE: Authority cited: Section 21063, Public Resources Code; Reference: Sections 21060.3, 21060.4, 21104, and 21153, Public Resources Code.

This file last modified on: Thursday, December 11, 2003.

Document URL: http://ceres.ca.gov/topic/env_law/ceqa/guidelines/appb.html

Copyright © 1996 California Resources Agency. All rights reserved.

APPENDIX C

List of CEQA Responsibilities of a LEA as *Responsible Agency* and Decision-Making Body for a Solid Waste Facility Permit

Consultation

When acting as a Responsible Agency, the LEA will utilize environmental analyses and documentation prepared by the Lead Agency in its decision making process. To ensure adequacy of these documents under CEQA, the LEA is given the opportunity to affect the scope and contents of the analysis by providing consultation to the Lead Agency. *CEQA Guidelines Section 15096(b)*

The LEA should designate representatives to attend scoping meetings. § 15096(c)

When consultation is requested by the Lead Agency, the LEA should review the Notice of Early Consultation (NOEC) or NOP for the proposed project and provide the Lead Agency with specific detail about the scope and content of the environmental information. Comments should be related to the LEA's area of statutory authority and expertise. Comments also should be made in order to disclose information necessary for the LEA to make their approval over the portion of the project related to the permitting and enforcement of the proposed project. If an EIR is to be prepared and consultation is not requested, the LEA can ask for a consultation meeting. The LEA must respond to an NOP within 30 days. §§ 15063(g), 15082(b) and 15082(c)

Providing Comments

As a Responsible Agency, the LEA has an additional opportunity to affect the quality of the analysis provided in an environmental document by reviewing and commenting on proposed or draft documents.

When a Mitigated Negative Declaration (MND) or Negative Declaration (ND) is being prepared, the LEA can comment on the proposed document. Comments need to be returned to the Lead Agency within the indicated review period. MNDs and NDs do not provide an opportunity for a response to comments. Therefore, if the LEA disagrees with the level of detail necessary for the processing of a SWFP, the LEA must indicate where the document is deficient and offer inclusions to be incorporated/amended into the final document. If the LEA disagrees with the proposal to prepare a MND or ND, the significant effects which would result from the project must be identified and a recommendation made to modify the project, incorporate mitigation measures, or prepare an EIR.

If a Environmental Impact Report (EIR) is being prepared, the LEA should respond within the indicated review period. Comments should speak to the scope and content of the EIR germane to the LEA's responsibilities. Comments on a draft EIR should focus on the completeness of the project description and proposed project alternatives, as well as the completeness, inconsistencies and/or correctness of the environmental analysis and technical appendices in the EIR. The comments should offer additional information, mitigation measures or alternatives that should be included. The comments need to be limited to those project activities which are within the agency's expertise or which are required to be carried out or approved by the agency or which will be subject to the exercise of powers by the agency. § 15096(d)

Use of a Lead Agency's Document

The LEA shall consider the Lead Agency's EIR, MND or ND prior to acting upon or approving the project. The Responsible Agency shall certify that it reviewed and considered the information contained in the EIR, MND or ND. §§ 15050(b) and 15096(a)

If the LEA finds the document prepared by the Lead Agency is inadequate for its use as a Responsible Agency, the LEA must either:

- Take the issue to court within 30 days if a Notice of Determination has been filed;
- Be deemed to have waived any objection to the adequacy of the EIR, MND, or ND;
 - Prepare a subsequent EIR, ND, MND if permitted under § 15162; or
 - Assume the Lead agency role as provided by § 15052(a)(3). § 15096(e)

If the document is deemed to be adequate, the LEA must consider the environmental effects of the project as shown in the EIR, ND or MND prior to making a decision on the project. § 15096(f)

If an EIR was developed, the LEA shall not approve a project as proposed if any feasible alternative or feasible mitigation measures within its powers would substantially lessen or avoid any significant effect. § 15096(g)

The LEA needs to make the written findings required by §§ 15091 and 15093. § 15096(h)

(Optional) After the LEA approves the project (issues the permit) a Notice of Determination may be filed with the County Clerk and the State Clearinghouse. § 15096(i)

APPENDIX D

Notice of Exemption

Appendix E

To: ☐ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: (Public Agency) _____

☐ County Clerk
County of _____

Project Title: _____

Project Location - Specific: _____

Project Location - City: _____ Project Location - County: _____

Description of Nature, Purpose, and Beneficiaries of Project:

Name of Public Agency Approving Project: _____

Name of Person or Agency Carrying Out Project: _____

Exempt Status: (*check one*)

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☐ Categorical Exemption. State type and section number:
- ☐ Statutory Exemptions. State code number:

Reasons why project is exempt: _____

Lead Agency

Contact Person: _____ Area Code/Telephone/Extension: _____

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: _____ Date: _____ Title: _____

- ☐ Signed by Lead Agency
- ☐ Signed by Applicant

Date received for filing at OPR:

Revised October 1989

APPENDIX E

APPENDIX G Environmental Checklist Form

1. Project title: _____

2. Lead agency name and address: _____

3. Contact person and phone number: _____

4. Project location: _____

5. Project sponsor's name and address: _____

6. General plan designation: _____ 7. Zoning: _____

8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

9. Surrounding land uses and setting: Briefly describe the project's surroundings:

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☐ Aesthetics ☐ Agriculture Resources ☐ Air Quality

☐ Biological Resources ☐ Cultural Resources ☐ Geology /Soils

☐ Hazards & Hazardous Materials ☐ Hydrology / Water Quality ☐ Land Use / Planning

☐ Mineral Resources ☐ Noise ☐ Population / Housing

☐ Public Services ☐ Recreation ☐ Transportation/Traffic

☐ Utilities / Service Systems ☐ Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date

Printed name

For

EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less

than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.

4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact”. The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, “Earlier Analyses”, may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

- a) Earlier Analysis Used. Identify and state where they are available for review.
- b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
- c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated”, describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance

SAMPLE QUESTION

Issues:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	--------------

I. AESTHETICS -- Would the project:

- a) Have a substantial adverse effect on a scenic vista? ☐ ☐ ☐ ☐

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

d) Expose sensitive receptors to substantial pollutant concentrations? ☐ ☐ ☐ ☐

e) Create objectionable odors affecting a substantial number of people? ☐ ☐ ☐ ☐

IV. BIOLOGICAL RESOURCES -- Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? ☐ ☐ ☐ ☐

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? ☐ ☐ ☐ ☐

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? ☐ ☐ ☐ ☐

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? ☐ ☐ ☐ ☐

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? ☐ ☐ ☐ ☐

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? ☐ ☐ ☐ ☐

V. CULTURAL RESOURCES -- Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

VI. GEOLOGY AND SOILS -- Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? ☐ ☐ ☐ ☐

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? ☐ ☐ ☐ ☐

VII. HAZARDS AND HAZARDOUS MATERIALS --

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? ☐ ☐ ☐ ☐

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? ☐ ☐ ☐ ☐

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? ☐ ☐ ☐ ☐

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? ☐ ☐ ☐ ☐

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? ☐ ☐ ☐ ☐

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? ☐ ☐ ☐ ☐

g) Impair implementation of or physically ☐ ☐ ☐ ☐

interfere with an adopted emergency response plan or emergency evacuation plan?

h) Expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands? ☐ ☐ ☐ ☐

VIII. HYDROLOGY AND WATER QUALITY -- Would the project:

a) Violate any water quality standards or waste discharge requirements? ☐ ☐ ☐ ☐

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? ☐ ☐ ☐ ☐

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? ☐ ☐ ☐ ☐

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? ☐ ☐ ☐ ☐

e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? ☐ ☐ ☐ ☐

f) Otherwise substantially degrade water quality? ☐ ☐ ☐ ☐

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? ☐ ☐ ☐ ☐

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? ☐ ☐ ☐ ☐

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? ☐ ☐ ☐ ☐

j) Inundation by seiche, tsunami, or mudflow? ☐ ☐ ☐ ☐

IX. LAND USE AND PLANNING - Would the project:

a) Physically divide an established community? ☐ ☐ ☐ ☐

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? ☐ ☐ ☐ ☐

c) Conflict with any applicable habitat conservation plan or natural community conservation plan? ☐ ☐ ☐ ☐

X. MINERAL RESOURCES -- Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? ☐ ☐ ☐ ☐

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? ☐ ☐ ☐ ☐

XI. NOISE --

Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? ☐ ☐ ☐ ☐

b) Exposure of persons to or generation of excessive groundborne vibration or ☐ ☐ ☐ ☐

groundborne noise levels?

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? ☐ ☐ ☐ ☐

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? ☐ ☐ ☐ ☐

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? ☐ ☐ ☐ ☐

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? ☐ ☐ ☐ ☐

XII. POPULATION AND HOUSING -- Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? ☐ ☐ ☐ ☐

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? ☐ ☐ ☐ ☐

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? ☐ ☐ ☐ ☐

XIII. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: ☐ ☐ ☐ ☐

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

XIV. RECREATION --

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

XV. TRANSPORTATION/TRAFFIC -- Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

uses (e.g., farm equipment)?

e) Result in inadequate emergency access? ☐ ☐ ☐ ☐

f) Result in inadequate parking capacity? ☐ ☐ ☐ ☐

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? ☐ ☐ ☐ ☐

XVI. UTILITIES AND SERVICE SYSTEMS --

Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? ☐ ☐ ☐ ☐

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? ☐ ☐ ☐ ☐

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? ☐ ☐ ☐ ☐

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? ☐ ☐ ☐ ☐

e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? ☐ ☐ ☐ ☐

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? ☐ ☐ ☐ ☐

g) Comply with federal, state, and local statutes and regulations related to solid waste? ☐ ☐ ☐ ☐

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<u>XVII. MANDATORY FINDINGS OF SIGNIFICANCE</u> --				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

APPENDIX F

CEQA APPENDIX J Examples of Tiering EIR's

FIRST TIER EIR (15152)	¥	project encompasses separate but related projects such as general plan, zoning, development
	¥	later tiers move from general to specific analysis of projects
Later Project EIR	¥	later project is consistent with general plan or zoning
	¥	initial study must examine significant effects not covered in prior EIR
	¥	later EIR must state lead agency is using tiering concept and must comply with section 15152
<hr/>		
STAGED EIR (15167)	¥	one large project will require a number of discretionary approvals from govt. agencies and one of those approvals will occur more than two years before construction commences
Supplement to the Staged EIR	¥	supplements to the staged EIR are prepared for later government agency approvals on the same overall project if information available at the time of that later approval would permit consideration of additional environmental impacts, mitigation measures or reasonable alternatives
<hr/>		
PROGRAM EIR (15168)	¥	series of actions or activities that can be characterized as one large project and are related either:
	¥	geographically
	¥	as logical parts of a chain of activities
	¥	in connection with rules, regulations, plans or other general criteria governing a continuing program
	¥	as individual activities carried out under common authority (statutory or regulatory) and having similar environmental effects which can be mitigated in similar ways
Subsequent Project EIR	¥	only if subsequent activity has effects not examined in the previously certified program EIR will additional environmental documentation be required (if subsequent activity has no new effects, that activity is covered by the program EIR)

MASTER EIR (15175)	¥	alternative to project, staged, or program EIR
	¥	can be used for: <ul style="list-style-type: none"> - general plan (or gen. plan element, amendment, or update) - redevelopment plan projects (public or private) - project consisting of phases of smaller individual projects - other activities described in 15175
	¥	after five years from initial certification, adopting authority must review the Master EIR and prepare subsequent or supplemental EIR if substantial changes have occurred with respect to circumstances under which the original Master EIR was adopted
	¥	no new EIR is required for subsequent projects within the scope of the Master EIR which cause no additional significant effect
Focused EIR (15177)	¥	a subsequent, Focused EIR is required only where: <ul style="list-style-type: none"> - substantial new/additional information shows adverse environmental effects not examined in Master EIR or more significant than described in EIR, or - substantial new/additional information shows mitigation measures previously determined to be infeasible are now feasible and will avoid/reduce the significant effects to a level of insignificance

SPECIAL SITUATIONS / EIRs

Multiple-family residential development / residential and commercial or retail mixed-use development (PRC 21158.5 and Guideline 15179.5)

¥ project is multiple-family residential development up to 100 units or is a residential and commercial or retail mixed-use development of not more than 100,000 square feet

¥ if project complies with procedures in section 21158.5, only a focused EIR need be prepared, notwithstanding the fact that the project wasn't identified in the Master EIR

Redevelopment Project (15180)

¥ all public and private activities or undertakings in furtherance of a redevelopment plan (public or private) constitute a single project

¥ the redevelopment plan EIR is treated as a program EIR

¥ no subsequent EIR is required for individual components of the redevelopment plan unless substantial changes or substantial new information triggers a subsequent EIR or supplement to an EIR pursuant to (sections 15162 or 15163)

Housing/neighborhood commercial facilities (15181)

¥ a project involving construction of housing or neighborhood commercial facilities in an urbanized area

¥ a prior EIR for a specific plan, local coastal program, or port master plan may be used as the EIR for such a project (no new EIR need be prepared) provided section 15181 procedures are complied with

Projects Consistent with Community Plan, General Plan, or Zoning (15183)

¥ a project which is consistent with a community plan adopted as part of a general plan or zoning ordinance or a general plan of a local agency and where there was an EIR certified for the zoning action or master plan
¥ the EIR for the residential project need only examine certain significant environmental effects, as outlined in section 15183

Regulations on Pollution Control Equipment (PRC section 21159)

¥ section 21159 requires environmental analysis of reasonably foreseeable methods of compliance at the time of adoption of rule or regulation requiring the installation of pollution control equipment

¥ an EIR prepared at the time of adoption of the rule or regulation is deemed to satisfy the requirement of section 21159

Installation of Pollution Control Equipment (PRC section 21159.1)

¥ a focused EIR is permitted where project 1) consists solely of installation of pollution control equipment; 2) is required by rule or regulation adopted by the State Air Resources Board, an air pollution control district or air quality management district, the State Water Resources Control Board, a California regional water quality control board, the Dept. of Toxic Substances Control, or the California Integrated Waste Management Board; and 3) meets the procedural requirements outlined in section 21159.1

APPENDIX G

CEQA Appendix I: Notice of Preparation

Notice of Preparation

Appendix J

To: _____
(Agency)

(Address)

Subject: Notice of Preparation of a Draft Environmental Impact Report

Lead Agency:

Agency Name _____
Street Address _____
City/State/Zip _____
Contact _____

_____ will be the Lead Agency and will prepare an environmental impact report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, and the potential environmental effects are contained in the attached materials. A copy of the Initial Study (h is h is not) attached.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but *not later than 30 days* after receipt of this notice.

Please send your response to _____ at the address shown above. We will need the name for a contact person in your agency.

City (nearest) _____ County _____

Date _____ Signature _____
Title _____
Telephone _____

Revised October 198

APPENDIX H

Notice of Completion & Environmental Document Transmittal *Appendix C*

For U.S. Mail: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 | SCH# |
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814 | |

Project Title:

Lead Agency: _____ Contact Person: _____
Street Address: _____ Phone: _____
City: _____ Zip: _____ County: _____

Project Location:

County: _____ City/Nearest Community: _____
Cross Streets: _____ Zip Code: _____
Assessor's Parcel No. _____ Section _____ Twp. _____ Range _____ Base: _____
Within 2 miles: State Hwy#: _____ Waterways: _____
Airports: _____ Railways: _____ Schools: _____

Document Type:

CEQA:

- ☐ NOP
- ☐ Early Cons
- ☐ Neg Dec
- ☐ Mit Neg Dec
- ☐ Draft EIR
- ☐ Supplement to EIR
- ☐ Subsequent EIR
- ☐ Other:

NEPA:

- ☐ NOI
- ☐ EA
- ☐ Draft EIS
- ☐ FONSI

Other:

- ☐ Joint Document
- ☐ Final Document
- ☐ Other:

Local Action Type:

- ☐ General Plan Update
- ☐ General Plan Amendment
- ☐ General Plan Element
- ☐ Community Plan
- ☐ Specific Plan
- ☐ Master Plan
- ☐ Planned Unit Development
- ☐ Site Plan
- ☐ Rezone
- ☐ Prezone
- ☐ Use Permit
- ☐ Land Division (Subdivision, etc.)
- ☐ Annexation
- ☐ Redevelopment
- ☐ Coastal Permit
- ☐ Other

Development Type:

- ☐ Residential: Units _____ Acres _____
- ☐ Office: Sq.ft. _____ Acres _____ Employees _____
- ☐ Commercial: Sq.ft. _____ Acres _____ Employees _____
- ☐ Industrial: Sq.ft. _____ Acres _____ Employees _____
- ☐ Educational _____
- ☐ Recreational _____
- ☐ Water Facilities: Type _____ MGD _____
- ☐ Transportation: Type _____
- ☐ Mining: Mineral _____
- ☐ Power: Type _____ MW _____
- ☐ Waste Treatment: Type _____ MGD _____
- ☐ Hazardous Waste: Type _____
- ☐ Other:

Total Acres: (approx.)

Project Issues That May Have A Significant Or Potentially Significant Impact:

- ☐ Aesthetic/Visual
- ☐ Agricultural Land
- ☐ Air Quality
- ☐ Archeological/ Historical
- ☐ Bio. Resources
- ☐ Coastal Zone
- ☐ Drainage/Absorption
- ☐ Economic/Jobs
- ☐ Fiscal
- ☐ Flood Plain/Flooding
- ☐ Forest Land/Fire Hazard
- ☐ Geologic/Seismic
- ☐ Minerals
- ☐ Noise
- ☐ Population/Housing Balance
- ☐ Public Services/Facilities
- ☐ Recreation/Parks
- ☐ Schools/Universities
- ☐ Septic Systems
- ☐ Sewer Capacity
- ☐ Soil Erosion/ Compaction/Grading
- ☐ Solid Waste
- ☐ Toxic/Hazardous
- ☐ Traffic/Circulation
- ☐ Vegetation
- ☐ Water Quality
- ☐ Water Supply/Groundwater
- ☐ Wetland/Riparian
- ☐ Growth Inducement
- ☐ Land Use
- ☐ Cumulative Effects
- ☐ Other

Present Land Use/Zoning/General Plan Designation:

Project Description: (please use a separate page if necessary)

NOTE: Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice or Preparation or previous draft document) please fill in.

Revised 2004

Reviewing Agencies Checklist

Appendix C

continued

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below.

<input type="checkbox"/> Air Resources Board	<input type="checkbox"/> Office of Emergency Services
<input type="checkbox"/> Boating & Waterways, Department of	<input type="checkbox"/> Office of Historic Preservation
<input type="checkbox"/> California Highway Patrol	<input type="checkbox"/> Parks & Recreation
<input type="checkbox"/> Caltrans District # _____	<input type="checkbox"/> Pesticide Regulation, Department of
<input type="checkbox"/> Caltrans Division of Aeronautics	<input type="checkbox"/> Public Utilities Commission
<input type="checkbox"/> Caltrans Planning	<input type="checkbox"/> Reclamation Board
<input type="checkbox"/> Coachella Valley Mountains Conservancy	<input type="checkbox"/> _____ Regional WQCB # _____
<input type="checkbox"/> Coastal Commission	<input type="checkbox"/> Resources Agency
<input type="checkbox"/> Colorado River Board	<input type="checkbox"/> S.F. Bay Conservation & Development
<input type="checkbox"/> Commission	
<input type="checkbox"/> Conservation, Department of	<input type="checkbox"/> San Gabriel & Lower Los Angeles
<input type="checkbox"/> Corrections, Department of	<input type="checkbox"/> Rivers & Mountains Conservancy
<input type="checkbox"/> Delta Protection Commission	<input type="checkbox"/> San Joaquin River Conservancy
<input type="checkbox"/> Education, Department of	<input type="checkbox"/> Santa Monica Mountains Conservancy
<input type="checkbox"/> Office of Public School Construction	<input type="checkbox"/> State Lands Commission
<input type="checkbox"/> Energy Commission	<input type="checkbox"/> SWRCB: Clean Water Grants
<input type="checkbox"/> Fish & Game Region # _____	<input type="checkbox"/> SWRCB: Water Quality
<input type="checkbox"/> Food & Agriculture, Department of	<input type="checkbox"/> SWRCB: Water Rights
<input type="checkbox"/> Forestry & Fire Protection	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> General Services, Department of	<input type="checkbox"/> Toxic Substances Control,
<input type="checkbox"/> Health Services, Department of	<input type="checkbox"/> Department of
<input type="checkbox"/> Housing & Community Development	<input type="checkbox"/> Water Resources, Department of
<input type="checkbox"/> Integrated Waste Management Board	<input type="checkbox"/> Other:
<input type="checkbox"/> _____	
<input type="checkbox"/> Native American Heritage Commission	<input type="checkbox"/> Other:
<input type="checkbox"/> _____	

Local Public Review Period (to be filled in by lead agency)

Starting Date _____ Ending Date _____

Lead Agency (Complete if applicable):

Consulting Firm: _____

Address: _____

City/State/Zip: _____

Contact: _____

Phone: (_____) _____

Applicant: _____

Address: _____

City/State/Zip: _____

Phone: (_____) _____

Signature of Lead Agency Representative _____ **Date:** _____

Authority cited: Sections 21083 and 21087, Public Resources Code. Reference: Section 21161, Public Resources Code.

APPENDIX I

Notice of Completion of Draft EIR

CEQA Appendix L

Project Title

Project Location – Specific

Project Location – City

Project Location – County

Description of Nature, Purpose, and Beneficiaries of Project

Lead Agency

Division

Address Where Copy of EIR is Available

Review Period

Contact Person

Area Code

Phone

Extension

Authority cited: Sections 21083 and 21087, Public Resources Code. Reference:
Sections 21092, 21152, and 21153, Public Resources Code.

APPENDIX J

Notice of Determination

Appendix D

TO: Office of Planning and Research

FROM: Public Agency: _____

Address: _____

For U.S. Mail:

Street Address:

P.O. Box 3044

1400 Tenth Street

Contact: _____

Sacramento, CA 95812-3044

Sacramento, CA 95814

Phone: _____

☐ County Clerk

Lead Agency (if different from above):

County of: _____

Address: _____

Address: _____

Contact: _____

Phone: _____

SUBJECT: *Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.*

State Clearinghouse Number (if submitted to State Clearinghouse): _____

Project Title

Project Location (include county)

Project Description

This is to advise that the _____ has approved

(☐ Lead

Agency or ☐ Responsible Agency)

the above described project on _____ and has made the following determinations

(Date)

regarding the above described project:

1. The project [☐ will ☐ will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
☐ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☐ were ☐ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☐ was ☐ was not] adopted for this project.
5. A statement of Overriding Considerations [☐ was ☐ was not] adopted for this project.
6. Findings [☐ were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the Negative Declaration, is available to the General Public at: _____

Signature (Public Agency)

Title

Date:

Date Received for filing at OPR:

Revised 2004

Authority cited: Sections 21083 and 21087, Public Resources Code.

Reference: Sections 21000-21174, Public Resources Code.

APPENDIX K

Fact Sheet: Solid Waste Facility Permits

- [Who needs a solid waste facility permit?](#)
- [Where should a prospective operator apply?](#)
- [What information should a prospective operator provide upon application?](#)
- [What application fee should the applicant submit?](#)
- [How does the LEA and CIWMB evaluate and process the application?](#)
- [What are the developer-applicant's \(operator's\) rights and responsibilities after a permit is granted?](#)
- [What are the enforcement agencies' rights and responsibilities after the permit is granted?](#)
- [What other agencies should the applicant contact?](#)
- [What other sources of information are available to the applicant?](#)

Who Needs a Solid Waste Facility Permit?

The California Integrated Waste Management Board regulates solid waste handling, processing and disposal activities. These include the operation of landfills, transfer-processing stations, material recovery facilities, compost facilities and waste to energy facilities. Until recently, virtually all solid waste handling activities were subject to the requirement of first obtaining a "full" solid waste facility permit or an exemption from the requirement of obtaining this permit from the local enforcement agency (LEA) with jurisdiction over the proposed site. CIWMB must concur in the issuance of the full permit before it is issued.

CIWMB has implemented regulations which exclude some activities from permitting requirements, allow others to operate after making a notification to the LEA, and many others to operate with less burdensome forms of a permit. Some activities still require the full solid waste facility permit.

There are five tiers of regulation for solid waste handling activities:

1. Excluded Solid Waste Handling
2. [Enforcement Agency Notification](#)
3. [Registration Permit](#)
4. [Standardized Permit](#)
5. [Full Permit](#)

The first two tiers do not require a solid waste facility permit, while the latter three do. The tier in which an activity is slotted depends not only on the type of activity, but also the type and amount of solid waste being handled.

Where Should a Prospective Operator Apply?

A prospective operator should contact the [local enforcement agency](#) with jurisdiction over the proposed activity to determine into which tier the proposed activity falls. Any applicable notification or permit application would then be made to that LEA.

When there is no LEA, CIWMB acts as the enforcement agency. The applicant may contact CIWMB at:

California Integrated Waste Management Board
1001 I Street
PO Box 4025
Sacramento, CA 95812-4025
(916) 341-6377

What Information Should a Prospective Operator Provide Upon Application?

Whether an application is required and what information must be submitted varies considerably depending on which tier an activity is placed. Should an application be required, it must be made on a form approved by CIWMB for that tier. The appropriate application form and information on what materials should accompany the application form may be obtained from the LEA, or CIWMB where there is no LEA.

What Application Fee Should the Applicant Submit?

The LEAs may charge a filing fee which varies from jurisdiction to jurisdiction.

How Does the LEA and CIWMB Evaluate and Process the Application?

The level of evaluation and processing depends on the type of activity and into what tier it falls. For more information on evaluation, processing, and timelines, contact the applicable LEA or the Board.

What Are the Developer-Applicant's (Operator's) Rights and Responsibilities After a Permit Is Granted?

The permit gives the applicant the right to operate the facility as described in the application package. It also describes the conditions placed on the facility's operations. The conditions in the registration and standardized permits are set forth in regulation. LEAs may specify unique conditions only in full permits.

Should an operator propose to change the design and/or operation of the facility, it may be necessary to file an application for a new permit in the case of the registration and standardized permits, or file an application to the LEA to modify or revise a full permit at least 150 days prior to implementing the change(s). The determination as to the need to apply for a new, revised, or modified permit rests primarily with the LEA.

Operators of solid waste facilities with standardized or registration permits must notify the LEA if a person, who owns property on which the solid waste facility is located, is encumbering, selling, transferring, or conveying the property, or part thereof, or allowing the property, or part thereof, to be encumbered, sold transferred, or conveyed. The operator shall notify the enforcement agency at least 15 days prior to such action by the owner, or within 7 days of receiving notice of such action by the owner, whichever comes first.

An owner or operator of a facility or disposal site operating under a full permit who plans to encumber, sell, transfer, or convey the ownership or operations of the facility or disposal site shall notify the LEA and CIWMB 45 days prior to the date of the anticipated transfer.

What Are the Enforcement Agencies' Rights and Responsibilities After the Permit Is Granted?

Any activity falling into any of the five tiers may be inspected by the enforcement agency. Activities falling into the excluded solid waste handling tier may be inspected to determine if the activity truly belongs in that tier. If in the other tiers, the LEA may inspect to determine whether it is operating within the State Minimum Standards for Solid Waste Handling and Disposal as listed in regulation.

Permitted facilities (whether registration, standardized, or full) are inspected monthly. The LEA may conduct periodic investigations, as it deems necessary (for example, in response to a written allegation), to insure compliance with all enactments. If the LEA, or CIWMB if the LEA fails to do so, determines that a facility violates the permit, the law or regulations pertaining to CIWMB, and/or poses an imminent threat to life or health, it may take action to correct the situation. Under some circumstances, the operator may be charged for any costs incurred.

LEAs may take action to modify, suspend, or revoke permits when they determine that:

- The operator has violated a term or condition of the permit.
- The operator misrepresented or failed to disclose facts in obtaining the permit.
- The facility's operator has not complied with the law or the rules and regulations of CIWMB or the local agency.
- Such action is necessary to protect public health, safety, and welfare and the environment.

Enforcement agencies shall enforce the state and local minimum standards for solid waste collection, handling, storage, and disposal for the protection of the environment and for the protection of the public health and safety.

What Other Agencies Should the Applicant Contact?

Those seeking to engage in a solid waste related activity should investigate the permit authority of the following agencies to determine whether they have jurisdiction over the project:

Local

- City or county health department (LEA)
- Building department
- Sanitation department
- Planning department

State

- The appropriate regional water quality control board
- The appropriate air pollution control or air quality management district
- Dept. of Toxic Substances Control
- California Coastal Commission
- Department of Fish and Game
- Tahoe Regional Planning Agency

For more information visit the [Permit Toolbox](#).

What Other Sources of Information Are Available to the Applicant?

Prospective operators may refer to the publications listed below for more information on solid waste facility regulation. These publications are generally available for review at CIWMB, LEA offices, county law libraries, and the State Library in Sacramento. You may purchase Title 14 or Title 27 of the California Code of Regulations from Barclays Law Publishers at (415) 244-6611. [Unofficial versions](#) are available on our site.

Last updated: March 25, 2004

APPENDIX L

LEA Advisory #57—February 4, 1999

Guidance on Writing a Solid Waste Facility Permit

To All Local Enforcement Agencies:

This advisory has been developed in coordination with Local Enforcement Agencies (LEA) and California Integrated Waste Management Board (Board) staff to provide guidance on how to write a solid waste facility permit (SWFP) that is consistent with California Code of Regulation, Title 27 (27 CCR) and the Public Resources Code (PRC). The advisory discusses the role of the LEA and Board staff in the SWFP process, the goals of the SWFP guidelines for writing a permit, including the contents and a boilerplate SWFP ([Word](#), 122 KB or [PDF](#), 19 KB) that can be used as a template, if desired, by the LEA. LEAs are encouraged to use the SWFP boilerplate cover page in order to accommodate changes in owner/operator and five-year review updates.

This advisory is intended to provide guidance to LEAs in performing their duties. Guidance, for this purpose, was defined as providing explanation of the Board's regulations and statutes, and recommendations how an LEA might satisfy program goals and objectives. This advisory is not intended to impose substantive requirements on LEAs. For more detail on the intent and enforceability of advisories please refer to [LEA Advisory #31](#).

Roles of the LEA and Board Staff in the Permitting Process

The LEA has the primary responsibility in processing and enforcing the SWFP. LEAs review operator application packages to determine completeness and adequacy, and write SWFPs including conditions that protect public health and safety and environment. Additionally, the LEA makes a discretionary action by issuing the SWFP, and therefore is responsible for ensuring compliance with California Environmental Quality Act (CEQA). The LEA is the primary contact for the operator in the permitting process. Board staff's primary role is to assist the LEA in analyzing the SWFP application package and writing SWFPs. This assistance can be accomplished by publishing advisories, telephone conversations, reviewing applications, training, attending meetings with operators, and other types of technical assistance.

Goals and Function of the Solid Waste Facility Permit

The primary goal/purpose of issuing or revising a SWFP is to ensure protection of the public health and safety and prevention of environmental damage, the long-term protection of the environment shall be the guiding principle (PRC 44012).

Statutory requirements for a SWFP to:

- Authorize the operation of the solid waste facility in accordance with California law and regulations (PRC 44014 [b]).
- Minimize overlap with other regulatory agencies (PRC Division 30, Part 4, Chapter 1.5).
- Specify limitations, prohibitions, terms, and conditions that the enforcement agency determines to be appropriate for the design and operation of a solid waste facility.
- Be consistent with the CEQA analysis for the project (PRC 44004, 27 CCR 21650).

Practical requirements for writing a SWFP to:

- Be written to reasonably accommodate anticipated fluctuations to reflect at least a five-year plan of the facilities' activities and operations, thus minimizing the need for frequent revisions.
- Specify limitations and prohibitions based on:
 - a) The LEA's knowledge of past operating practices.
 - b) The LEA's review of the facility design and operation.
 - c) Local enactments and site specific conditions.

Guidelines for Writing a Solid Waste Facility Permit

The following information is organized by numbers that correspond to the attached boilerplate SWFP ([Word](#), 122 KB or [PDF](#), 19 KB).

The following items (1-13) are required information in the SWFP:

- 1. Facility/Permit (SWIS) Number and Local Enforcement Agency Number (if applicable)**
A permit number assigned for each permit issued by an LEA appearing on all pages of the permit. The SWIS number, assigned by the Board, is for state and local tracking purposes. The LEA can also include the local permit number, if applicable, on the permit.
- 2. Name and Street Address of Facility**
The facility name and address, and/or other identifying description (no P.O. box) to locate the site.
- 3. Name and Mailing Address of Operator**
The name of the operator(s) and their mailing address(es), which may differ from the site address, to identify the responsible party and let the public know where notice may be sent. Generally, contract operators are not included on the permit since the operator and owner are responsible for the permit (14CCR 18208, 27CCR 21663).
- 4. Name and Mailing Address of Land Owner**
The name of the land owner(s) and their mailing address(es), which provides a location to serve notice. For multiple owners or operators the LEA may attach an additional page(s) to the SWFP.
- 5. Permitted Operations**
The type of facility, as defined in regulation and/or statute (landfills, transfer stations, green waste composting facilities, mixed composting facilities, processing facilities, transformation facilities, etc.), including a list of all operations that will be covered under the permit. Multiple activities under one SWFP will generally occur when combining an operation, which falls under the tiered permitting regulations with a full permit activity.
- 6. Approval**
The name and title of the LEA's approving officer typed on the permit and a signature (at the time of issuance of the SWFP).
- 7. Date Received by the Board, Board Concurrence, and the Date the Permit is Issued**
The Board will stamp the date the permit was received in the Board office, and the date it concurs with the permit. The LEA will stamp the date it issues the SWFP to the operator. These dates are necessary for record keeping and tracking the SWFP through the process. In practice, these "stamps" may not appear on the same copy of the SWFP. However, the dates on the final permit must be the same as the stamped dates and the permit shall read the same as the permit that was acted on by the Board.
- 8. Local Enforcement Agency Name and Address**
The LEA's name and address.
- 9. Operator/Owner Transfer Date**
The date of the transfer the LEA approves a change in operator or owner (land owner and/or business owner) and makes minor changes in the permit to reflect this change pursuant to PRC 44005. This is

necessary for purposes of clarification, record keeping, and tracking. If the LEA reissues the permit through a revision, this is not necessary.

10. Site Boundary

The site boundary, including all areas that will be governed by the permit. The boundaries may be described in parcels, as long as they are whole parcels. If, for some reason, the boundaries can not be described in whole parcels they may be described from the results of an engineered survey (a "metes and bounds" description). A map may be attached to the parcel description or "metes and bound" description to clarify the permit boundaries and to define the location of the permitted acreage (14CCR 18208, 27CCR 21663).

11. LEA Findings Pursuant to Public Resources Code 44009 and 44010

The findings can be as stated in the boilerplate permit or as deemed appropriate by the LEA. Please note that these findings are made at the time the LEA proposes and issues the SWFP. The following findings shall be made:

- a. The permit is consistent with the County Solid Waste Management Plan (CoSWMP) or the Countywide Integrated Solid Waste Management Plan (CIWMP) (PRC 50000 or 50001).
- b. Facility compliance with PRC 50000 or 50001. For a landfill SWFP, where a CIWMP has not been approved, the authorized agent must have made a written finding that the facility is consistent with, and designated in, the applicable General Plan(s). Additionally, the local governing body must make a written finding that the surrounding land use is compatible with the facility operation (PRC 50000.5 [a] and [b]). (Authorized agent means the body or person who has the authority to determine county and/or city general plan conformance, which is usually a jurisdiction's Board of Supervisors or City Council.)
- c. The permit is consistent with standards adopted by the Board (PRC 44010).
- d. The design and operation of the facility is consistent with the state minimum standards for solid waste handling and disposal as determined by the LEA.
- e. The environmental documentation (i.e., Environmental Impact Report (EIR), Negative Declaration, and/or Exemption) is consistent with and supports the proposed permit and Report of Facility Information (RFI). This finding should cite the environmental document(s), a document reference number, and date, including amendments that enabled the LEA to make this finding.

12. Facility Limitations include:

- Tonnage
- Elevation and excavation
- Disposal (footprint) area
- Hours of operation
- Traffic

If the LEA deems that these limits are not an integral part of the project description, the LEA should provide a rationale in a cover letter that accompanies the proposed permit and be prepared to present that rationale at the Board hearing where the SWFP is being considered. It is recommended that the LEA work with Board staff if any of these items are deleted from the *Limitations* section of the permit to ensure a smoother package submittal during the 60-day review and concurrence timeframe. When determining the appropriate limits to put in the permit the LEA should consider 27 CCR, section 21663:

" The permit shall specify the person authorized to operate the facility and the boundaries of the facility. The permit shall contain such conditions as are necessary to specify a design and operation for which the operator has demonstrated in proceedings before the LEA the ability to control adverse environmental effects." A description of the design and operation may include, capacity, throughput, traffic, contouring of a landfill, physical configurations, such as acreage and height for a landfill, procedures, personnel and equipment."

When writing limits into the SWFP it is important that they are written in a clear manner so as to be enforceable and unambiguous. For example, if an average tonnage is being used as a limit the time over which this average is calculated should be included. (Note: Generally, averages are used as limits when CEQA has defined tonnage as an average. Sometimes an average and maximum are described in the CEQA document.)

SWFP limitations are used to ensure compliance with state minimum standards, applicable parts of the CEQA document, and local requirements as deemed necessary by the LEA. For more flexibility the numbers should be limits consistent with or lesser than delineated in CEQA documents and not necessarily what is currently occurring at the site. The LEAs, as parameters for setting any necessary conditions or monitoring requirements, may use these limits.

The limit should be complete and specific. For example, hours of operation could be interpreted as operating hours, hours open to the public, etc. LEAs should avoid ambiguous conditions similar to the above example. Be specific on the intent of the limit.

Proposals to exceed SWFP limits may cause the LEA to change the SWFP conditions, conduct additional CEQA analysis, or require the operator to amend the RFI description of design and operations. In some cases, the LEA may determine that these limits may not be necessary. An example of this may be if the RFI describes necessary measures for operating at night, CEQA analysis has no limits on hours of operation and there is no environmental, public health, or nuisance reason to limit the hours of operation, then limiting the hours of operation in the permit may not be necessary. Keep in mind that if any limitation has been set in the CEQA documents the SWFP can not exceed these limits.

Additionally, one limitation could supersede the need for another limit. For example, if the tonnage limit restricts the vehicle traffic enough to ensure that incoming and outgoing traffic will not impact the operator's ability to handle the permitted amount of waste, or cause a hazard on public roads from vehicles stacking, then the traffic limit may not be necessary in the permit.

Any of these limits may be described in a manner the LEA determines is adequate for the appropriate level of public health and environmental protection and is consistent with the CEQA documents. When deciding if these limits are necessary the LEA shall consider the location of the facility, proximity to homes and businesses or other sensitive receptors, special site conditions, the operator's compliance record, the CEQA analysis, and the overall design of the facility. Any of these limitations may be excluded from the SWFP with a brief explanation of the LEA's reasoning. This reasoning may be given in the cover letter that accompanies the proposed permit.

13. Design Information includes:

- Total Airspace Capacity
- Design Capacity (for other than disposal facilities)

- Remaining Airspace Capacity as of a specific date
- Estimated Closure Year

Preceding the Design Information section with a statement indicating that this description is the design information at the time this permit is issued/written provides maximum flexibility for operators who make non-significant changes in design and operation, in order to meet AB 939 goals, to adapt to changing regulations, and to efficiently run their solid waste facility while still having a meaningful project description in the permit to provide the LEA with a baseline for determining significant change. The LEA may allow changes through approved RFI amendments, pursuant to 27 CCR, section 21665.

Information provided in this section of the permit is interlinked and a minor change in one set of the Design Information could lead to the change of other criteria. Site/SWFP changes should be reviewed on a case by case basis. If significant changes occur in the site design this will, in most cases, change other parameters such as capacity and site life. Significant changes will require revision of the SWFP and may require additional environmental review in order to comply with CEQA. However, it may also be appropriate to put these parameters as restrictions if the facility is limited by the CEQA analysis. A good example of this is a lateral expansion of a landfill (filling in a whole new area or unit) which, in almost all cases, would be a significant change because the landfill's footprint, acreage, capacity, closure year, and closure plan would all change (PRC 44004(a)).

The following information is optional:

14. Additional Documents Reviewed at the time the SWFP was proposed/issued:

This should be a list of documents (i.e., permits, environmental documents, etc.), including the dates of the documents that were reviewed at the time the permit was issued. These documents describe and/or condition the operation and use of the facility, which were considered when the LEA wrote and issued this permit. The LEA considered these documents before making the above findings about the facility and permit and before determining the necessary conditions to incorporate into the permit to ensure the protection of public health and safety and the environment. These are not conditioning documents of the SWFP and are not enforceable under this permit. The LEA might include the following:

- EIR or negative declaration*
(include clearinghouse number)
- Land use permits and conditional use permits*
- Preliminary closure plan or final closure and postclosure maintenance plan*
- Closure financial responsibility documentation
- Operating liability documentation
- Waste discharge requirements
- Local and county ordinances and rulings that regulate the facility
- Air pollution permits and variances

* Indicates documents that should be reviewed prior to writing the permit.

15. LEA Monitoring Requirements:

This section should include those self-monitoring requirements that should be submitted to the LEA on a timed basis. The LEA should consider its authority and need for the documents. The LEA may require any reports that are necessary to monitor the facilities compliance with State minimum standards. The monitoring requirements may also be put as LEA conditions if the LEA deems it to be more efficient.

16. LEA Conditions:

The LEA may want to condition the operation of the facility. When considering what kind of conditions may be appropriate the LEA should consider any past enforcement issues with the operator, or any environmental impacts associated with the design and operations of the facility which may need mitigating. The LEA should not restate conditions from the permits issued by other agencies. Conditions that are more restrictive than the limits expressed in a Regional Water Quality Control Board (RWQCB) or local air district permit or order should be solely for the purpose of protecting the public health and safety and the environment along with the citation of the authority which supports such condition.

The information contained in the Report of Disposal Site Information (RDSI) shall be used to determine whether a permit should be issued and to provide information to be included within the permit if, in the opinion of the LEA, it is applicable. The RDSI should be referenced in the 'conditions' section of the permit. The LEA may include as much of the RDSI in the permit as deemed applicable pursuant to 27 CCR 21600 (a). It is suggested that language be crafted to allow for future amendments to the RFI.

The permit could contain prohibitions on the acceptance of any liquid waste sludge, non hazardous waste requiring special handling, designated waste, or hazardous waste to be accepted at the site under the LEA Conditions section.

Mitigation measures that are adopted as part of the CEQA analysis are often included in the LEA conditions. The LEA should only include those mitigation measures that the LEA has the authority to enforce under the PRC, 14 CCR, and 27 CCR.

Conclusion

Although not always easy to write, a clear and concise permit benefits the LEA, operator, and the Board. It is necessary to strive toward writing permit conditions that are explicit and indisputable. The Board encourages LEAs to work closely with their Permitting and Inspection Branch representatives when preparing SWFPs. This helps to reduce potential problems and misinterpretations on or near the day of the hearing.

Lastly, the LEAs may incorporate other limits and conditions in the permit, as they deem necessary to protect the public health and safety and the environment and ensure the facilities' ability to comply with State minimum standards with an authority citation. All limits or conditions should be within the LEA's authority and in conformance with PRC, Chapter 1.5, Sections 43100-43103 (AB 1220). If proposed limits or conditions overlap with the RWQCB or local air district limits, the LEA should coordinate with the appropriate agency and operator before the proposed limits are included in the permit, pursuant to 27CCR, sections 20005 and 20030 and PRC 43101 et seq. If the limits or conditions are made under the authority of the health department or community ordinance the authority is appropriately cited next to the limit or condition.

If you have any questions or need additional information, please contact your Permitting and Inspection Branch representative.

Sincerely,

Original signed by:
Julie Nauman, Deputy Director
Permitting and Enforcement Division

Attachment 1: [Word](#) (122 KB) or [PDF](#) (19 KB)

Publication #231-99-001

The intent of the advisories is to provide guidance to Local Enforcement Agencies (LEA) in performing their duties. Guidance, for this purpose, is defined as providing explanation of the Board's regulations and statutes.

Unless included by reference in the LEA's Enforcement Program Plan (EPP), advisories are not enforceable in the same manner as regulations because they have not been adopted through the formal rulemaking process (see Government Code sections [11340.5](#) and [11342.6](#)). Advisories do not take precedence over statute or regulation.

Last updated: December 29, 2004

APPENDIX M

Tiered Regulatory Placement

Excluded	EA Notification	Registration	Standardized	Full
Compostable materials: Agricultural material derived from an agricultural site and returned to the same site or agricultural site owned or leased by the owner, parent, or subsidiary ($\leq 1,000$ yd ³ given away or sold annually)	Agricultural Material Composting Operations (all)			Composting Facilities (all) (Any material other than green material)
Compostable materials: Vermicomposting (Note: The handling of compostable materials used as growth medium is not excluded)	Green Material Composting Operations ($\leq 12,500$ yd ³)			Green Material Composting Operations ($> 12,500$ yd ³)
Compostable materials: Mushroom farming (Note: The handling of compostable materials used as growth medium is not excluded)	Biosolids Composting Operations at POTWS (all)			
Compostable materials: Green material generated on-site (≤ 500 yd ³ , $\leq 10\%$ food material) ($\leq 1,000$ yd ³ given away or sold annually)	Research Composting Operations ($\leq 5,000$ yd ³) (Within-vessel $> 5,000$ yd ³ with EA determination)			
Compostable materials: (A) An activity, located at a facility with a tiered or full permit and a Report of Facility Information that identifies and describes the activity, which will use the material on-site, or (B) Temporary storage of biosolids at a Publicly Operated Treatment Works, or (C) An activity located at the site of biomass conversion and used for biomass conversion, or (D) Silvicultural operation or wood, paper, or wood product manufacturing operation, or (E) Temporary storage or processing of agricultural material not used in the production of compost or mulch, or (F) Chipping and grinding of materials applied to land owned or leased by the owner, parent, or subsidiary, or (G) Chipping and grinding of agricultural material produced on lands owned or leased by the owner, parent, or subsidiary for use in biomass conversion, or (H) Animal food manufacturing or rendering, or (I) Storage of yard trimmings at a publicly designated site for the collection of lot clearing necessary for fire protection, or (J) Materials handled in such a way as to preclude the materials from reaching 122 degrees Fahrenheit	Chipping and Grinding Operations (≤ 200 tpd)	Chipping and Grinding Operations (200 tpd $< x \leq 500$ tpd)		Chipping and Grinding Operations (> 500 tpd)
Compostable materials: Noncommercial composting provided all compostable material is generated and used on-site (< 1 yd ³ food material)				
Compostable materials: Storage of bagged products (< 5 yd ³)				
Compostable materials: Within-vessel composting (< 50 yd ³)				
Compostable materials: Beneficial use				
Contaminated Soil: Transfer/Processing from single generator source owned or leased by the generator, its parent, or subsidiary to property owned or leased by the same generator, its parent, or subsidiary.	Contaminated Soil Transfer/Processing Operations (all)		Contaminated Soil Disposal Facilities (all)	
Contaminated Soil: Transfer/Processing from single generator				

source owned or leased by the generator, its parent, or subsidiary to a specific location for a one-time treatment that is within the jurisdiction of the RWQCB and/or the Local Oversight Agency, and/or air district.				
Contaminated Soil: Disposal from a single Petroleum Exploration and Production Company, its parent, or subsidiary to property owned or leased by the same Petroleum Exploration and Production Company, its parent, or subsidiary.				
Transfer/Processing: ≤ 15 yd3 multi-residence receptacles for residential refuse located at place of generation.	Emergency Transfer/Processing Operations (all)	Medium Volume Transfer/Processing Facilities (60 yd3 or 15 tpd ≤ x < 100 tpd)		Large Volume Transfer/Processing Facilities (≥ 100 tpd)
Transfer/Processing: ≤ 15 yd3 of separated for reuse material handled for recycling.	Sealed Container Transfer Operations (all)	Direct Transfer Facilities (60 yd3 or 15 tpd ≤ x < 150 tpd)		
Transfer/Processing: Storage receptacles for multi-residential buildings or commercial solid waste at the place of generation.	Limited Volume Transfer Operations (< 60 yd3 or 15 tpd)			
Transfer/Processing: Containers used to store construction or demolition waste at the place of generation.				
Transfer/Processing: Containers used to store salvaged materials.				
Transfer/Processing: Waste Hauling Yard Operations				
Transfer/Processing: Storage of "other" (e.g., controlled substances, U.S. currency, dead animals) wastes.				
Nonhazardous Ash: Transfer/Processing from land owned by a single nonhazardous ash generator source or leased by the generator, its parent, or subsidiary, to property owned or leased by the same generator, its parent, or subsidiary.	Nonhazardous Ash Transfer/Processing Operations (all)		Nonhazardous Ash Disposal/Monofill Facilities (all)	
Nonhazardous Ash: Storage within a fully enclosed weathertight structure.				
Construction and Demolition/Inert: Containers used to store C&D debris or inert debris at the place of generation	Small Volume C&D Wood Debris Chipping and Grinding Operations (< 200 tpd)	Medium Volume C&D Wood Debris Chipping and Grinding Facilities (200 tpd ≤ x < 500 tpd)		Large Volume C&D Wood Debris Chipping and Grinding Facilities (≥ 500 tpd)
Construction and Demolition/Inert: Locations where 15 cubic yard or less per day of separated for reuse material is handled	Small Construction and Demolition/Inert Debris Processing Operations (< 25 tpd)	Medium Construction and Demolition/Inert Debris Processing Facilities (25 tpd ≤ x < 175 tpd)		Large Construction and Demolition/Inert Debris Processing Facilities (≥ 175 tpd)
Construction and Demolition/Inert: Grading or clearing of land that is consistent with local ordinances	Inert Debris (Type A) Processing (<1,500 tpd)			Inert Debris (Type A and/or Type B) Processing Facilities (≥ 1,500 tpd)
Construction and Demolition/Inert: Chipping and grinding of lumber or other wood material, which meet any of the following criteria: (A) The chipping and grinding activity handles materials derived from and applied to lands owned or leased by the same person, including a parent or subsidiary of a corporate owner; or (B) Handling any combination of green material, additives, amendments, compost, or chipped and ground material that does not exceed 500 cubic yards on-site at any one time; or (C) The activity is located at the site of biomass conversion as defined in PRC section 40106 and is for use in biomass conversion at that site; or (D) The activity is part of a silvicultural operation or wood, paper, or wood product manufacturing operation; or (E) The storage of bagged and ground material.	Emergency Construction and Demolition/Inert Debris Processing Operations (all)			

		Hazardous Waste Disposal Facilities Codisposing Nonhazardous, Nonputrescible, Industrial Solid Waste (all)		
				Disposal Sites (other than Contaminated Soil Disposal Sites, Nonhazardous Ash Disposal/Monofill Facilities, and Hazardous Waste Disposal Facilities)

Last updated: May 25, 2004

APPENDIX N

LEA Advisory #39—March 21, 1997 Issuance of Multiple Permits

To All Local Enforcement Agencies:

Purpose

As facilities are slotted into the Regulatory Tiers, Enforcement Agencies (EA), Board staff, and operators have been questioning whether multiple Solid Waste Facility Permits (permit) can, or should be issued for a single site. The advisory is intended to help all interested parties understand the options available for determining when it is appropriate to issue more than one permit at a site. There are three different combinations of permits that could occur: (1) more than one full permit; (2) full permit and one or more operations with less than a full permit(s) (in this advisory, standardized, registration, or notification tiers will be called "tiered permits"); (3) more than one tiered permit.

Background

More Than One Full Permit

Enforcement Agencies have issued, with Board concurrence, separate full permits for new activities within the boundaries of an existing permitted facility. An example is the issuance of a permit for a transfer station within the boundaries of a permitted landfill.

Full Permit and Tiered Permit

Board practice has been to allow operators to obtain a tiered permit for an operation within the boundaries of a facility with a full permit. An example of this would be a compost facility(s) with a tiered permit located within the boundaries of a landfill.

Alternatives/Flexibility

An operator has two options when proposing to add an activity that will need either a full or tiered permit within the boundaries of an existing facility with a full permit. The operator can revise the existing permit to incorporate the new operation, or obtain a separate full or tiered permit for the new operation. However, if the EA determines that the addition of an operation eligible for a full or tiered permit necessitates significant changes in the design and operation of the existing facility with the full permit, or if it is necessary to change the terms or conditions of the existing full permit to accommodate the new on-site operation, then the EA may require the operator to apply for a permit revision. This would be consistent with Title 14 of the California Code of Regulations (14 CCR) Section 18211 that requires operators proposing to make significant changes in the design or operation of their facility to apply for a revision. If the changes are determined to be not significant, the EA can require a permit modification, or a Report of Facility Information amendment.

Either approach listed above would comply with Public Resources Code Section 44002, which prohibits the operation of a solid waste facility by any person without a Solid Waste Facility Permit.

Deciding whether to issue multiple tiered permits or a single tiered permit for a site can be more difficult. For distinctly different operations, the only option may be to issue separate permits. For example, if an operator wants to operate a compost facility and a contaminated soil disposal facility there are no provisions in the regulations to issue a single permit.

Operators may try to obtain multiple tiered permits for similar operations to avoid obtaining a higher tiered permit with more requirements. For example, an operator might request multiple compost Registration Permits

for operations that are not separate from each other, instead of a single Standardized Permit. In these cases, if the EA determines that the operations are not separate, they can require the operator to obtain the appropriate higher-tiered permit.

A determination must be made whether the operations are separate or are one when deciding if multiple permits or a single permit is appropriate. The factors used in making this determination can include:

- Physical proximity of the operations (i.e., are the operations on contiguous, or multiple parcels).
- Types of waste being handled by each operation.
- Whether processing equipment is shared by the facilities.
- Whether storage or processing areas are shared.
- Whether personnel are shared.
- Whether record keeping is shared.
- Protection of public health, safety, and the environment.
- The intent of the operator.
- Environmental impacts, including cumulative impacts of multiple facilities. (Please refer to LEA Advisories #33 and #36 for additional guidance.)

Multiple Operators

In all of the cases listed above it is assumed that only one operator is applying for the permits. If more than one operator is involved in activities that overlap, or are connected in some way, then separate permits could be issued. The EA should ensure that the operations are adequately separated when there are multiple operations with separate operators. The separation of the facilities is needed to allow the EA to take appropriate enforcement action should it be necessary. These situations should be handled on a case-by-case basis.

If you have any questions concerning this advisory please contact your Permits Branch liaison or Bob Holmes, the Tiered Permit Coordinator, at (916) 341-6376.

Sincerely,

Original signed by:

Deputy Director

Permitting and Enforcement Division

Publication #232-97-007

The intent of the advisories is to provide guidance to Local Enforcement Agencies (LEA) in performing their duties. Guidance, for this purpose, is defined as providing explanation of the Board's regulations and statutes.

Unless included by reference in the LEA's Enforcement Program Plan (EPP), advisories are not enforceable in the same manner as regulations because they have not been adopted through the formal rulemaking process (see Government Code sections [11340.5](#) and [11342.6](#)). Advisories do not take precedence over statute or regulation.

Last updated: January 3, 2005

APPENDIX O

Permit Application Review Chart

Facility Name:					Facility No:		Date:
	Permit		RFI		CEQA	CUP	Other
Review Items	Existing Date:	Proposed Date:	Existing Date:	New Date:	Date:	Date:	Date:
Acreage of Site							
Acreage of Disposal Area							
Design Capacity							
Waste Volume or Tonnage							
Hours and Days of Operation							
Hours and Days open to the Public							
Waste Types							
Maximum Elevation/ Height							
Excavation Depth							
Closure Date							
Traffic							
Surrounding Land Use							
Service Area							
Resource Recovery							
Environmental Controls							
Other							



SOLID WASTE FACILITY PERMIT

Facility Number:

1. Name and Street Address of Facility:

2. Name and Mailing Address of Operator:

3. Name and Mailing Address of Owner:

4. Specifications:

- a. Permitted Operations: ☐ Solid Waste Disposal Site ☐ Transformation Facility
☐ Transfer/Processing Facility (MRF) ☐ Other: _____
☐ Composting Facility (Green Material)

b. Permitted Hours of Operation: (Receipt of Refuse/Waste) _____
(Ancillary Operations/Facility Operating Hours) _____

c. Permitted Maximum Tonnage: _____ Tons per Day

d. Permitted Traffic Volume: _____ Vehicles per Day

e. Key Design Parameters (Detailed parameters are shown on site plans bearing EA and CIWMB validations):

	Total	Disposal	Transfer/Processing	Composting	Transformation
Permitted Area (in acres)					
Design Capacity (cubic yds)					
Max. Elevation (Ft. MSL)					
Max. Depth (Ft. MSL)					
Estimated Closure Year					

Upon a significant change in design or operation from that described herein, this permit is subject to revocation or suspension. The attached permit findings and conditions are integral parts of this permit and supersede the conditions of any previously issued solid waste facility permit.

5. Approval:

Approving Officer Signature

6. Enforcement Agency Name and Address:


7. Date Received by CIWMB:


8. CIWMB Concurrence Date:

9. Permit Issued Date:

10. Permit Review Due Date:

11. Owner/Operator Transfer Date:

 <h1 style="display: inline; margin: 0; font-size: 2em; font-weight: bold;">OLID WASTE FACILITY PERMIT</h1>	Facility Number:		
Legal Description of Facility: The legal description of this facility is contained in <u>appendix _____</u> of the <u>Report of Disposal Site Information</u> dated _____.			
Findings: a. This permit is consistent with the <u>(name of county)</u> County Integrated Waste Management Plan, which was approved by the CIWMB on <u>(date)</u> . The location of the facility is identified in the <u>Countywide Siting Element</u> , pursuant to Public Resources Code (PRC), Section 50001(a). b. This permit is consistent with the standards adopted by the CIWMB, pursuant to PRC 44010. c. The design and operation of the facility is consistent with the State Minimum Standards for Solid Waste Handling and Disposal as determined by the enforcement agency, pursuant to PRC 44009. d. The _____ Fire Department has determined that the facility is in conformance with applicable fire standards, pursuant to PRC, 44151. e. A <u>CEQA document</u> was filed with the State Clearinghouse (SCH # _____) and certified by the <u>(name of agency)</u> on <u>(date)</u> . The <u>CEQA document</u> describes and supports the design and operation which will be authorized by the issuance of this permit. A Notice of Determination was filed with the State Clearinghouse on <u>(date)</u> . f.			
Prohibitions: The permittee is prohibited from accepting the following wastes: Hazardous, radioactive, medical (as defined in Chapter 6.1, Division 20 of the Health and Safety Code), liquid, designated, or other wastes requiring special treatment or handling, except as identified in the Report of Facility Information and approved amendments thereto and as approved by the enforcement agency and other federal, state, and local agencies.			
The following documents describe and/or restrict the operation of this facility:			
	Date		Date
Report of Disposal Site Information Amendments		Preliminary Closure and Postclosure Maintenance Plan	
Waste Discharge Requirements Order No.		Closure Financial Assurance Documentation	
APCD Permit to Operate #		Operating Liability Certification	
<u>CEQA document</u> (SCH # __)	<u>(date)</u>	Land Use and/or Conditional Use Permit	

 SOLID WASTE FACILITY PERMIT		Facility Number:	
a. The types and quantities (in tons) of waste, including separated or commingled recyclables, entering the facility per day.		Quarterly	
16. Self Monitoring: b. The number and types of vehicles using the facility per day. The owner/operator shall submit the results of all self monitoring programs to the Enforcement Agency within 30 days of the end of the reporting period (for example, 1st quarter = January – March, the report is due by April 30, etc.. Information required on an annual basis shall be submitted with the 4th quarter monitoring report, unless otherwise stated.) c. Results of the hazardous waste load checking program, including the quantities and types of hazardous wastes, medical wastes or otherwise prohibited wastes found in the waste stream and the disposition of these materials		Quarterly Quarterly Quarterly	
Program		Reporting Frequency	
d. Copies of all written complaints regarding this facility and the operator's actions taken to resolve these complaints.		Quarterly	
e. Results of the landfill gas monitoring program.		Quarterly	
f. Wet weather preparedness report/winter operations plan.		Annual – due by November 1	
g. Fill sequencing plan for the forthcoming year.		Annually	
h. Remaining site capacity.		Annually	
i.			

 SOLID WASTE FACILITY PERMIT	Facility Number:
--	-------------------------

Enforcement Agency (EA) Conditions:

- a. The operator shall comply with all State Minimum Standards for solid waste handling and disposal as specified in Title 27, California Code of Regulations.
- b. The operator shall maintain a log of special/unusual occurrences. This log shall include, but is not limited to, fires, explosions, the discharge and disposition of hazardous or unpermitted wastes, and significant injuries, accidents or property damage. Each log entry shall be accompanied by a summary of any actions taken by the operator to mitigate the occurrence. The log shall be available to site personnel and the EA at all times.
- c. Additional information concerning the design and operation of the facility shall be furnished upon request and within the time frame specified by the EA.
- d. The maximum permitted daily tonnage for this facility is _____ tons per day, and shall not receive more than this amount without a revision of this permit.
- e. This permit is subject to review by the EA and may be suspended, revoked, or revised at any time for sufficient cause.
- f. The EA reserves the right to suspend or modify waste receiving and handling operations when deemed necessary due to an emergency, a potential health hazard, or the creation of a public nuisance.
- g. Any change that would cause the design or operation of the facility not to conform to the terms and conditions of this permit is prohibited. Such a change may be considered a significant change, requiring a permit revision. In no case shall the operator implement any change without first submitting a written notice of the proposed change, in the form of an RFI amendment, to the EA at least 150 days in advance of the change.
- h. A copy of this permit shall be maintained at the facility.
- i.
- j.
- k.

APPENDIX Q

State of California - CIWMB Form 83 (rev. 12/96)

California Integrated Waste Management Board

Registration Permit Application

Facility Name:

Address/Location:

Phone Number:

Facility Operator:

Mailing Address:

Address Where Process May be Served:

Phone Number:

Land Owner:

Mailing Address:

Address Where Process May be Served:

Phone Number:

Facility Information:

Section Authorizing Eligibility:

Volume and Type of Waste/Materials(s) Handled:

Site Capacity: _____ Cubic Yards or Tons
Peak Loading: _____ Cubic Yards or Tons /Day
Annual Loading: _____ Cubic Yards or Tons

Days and Hours of Operation:

Facility Size: _____ Area
Operating Area: _____ Area

Traffic:
Incoming Waste Material: _____ Vehicles Per Day
Outgoing Waste Material: _____ Vehicles Per Day

One of the Following Statements Must be Checked:

- [] The facility is identified and described in or conforms with the County Solid Waste Management Plan, or otherwise complies with Public Resources Code 50000; and the facility is consistent with the city or county General Plan.
- [] The facility is identified in either the countywide siting element, the nondisposal facility element, or in the source reduction and recycling element for the jurisdictions in which it is located ;or that the facility is not required to be identified in any of these elements pursuant to section 50001 of the Public Resources Code.

I hereby acknowledge that I have read this application, and certify under penalty of perjury that the information provided is true and accurate. In operating the facility, I agree to comply with the conditions of the permit, and with federal, state, and local enactments.

Signature of Land Owner: _____ Date: _____

Signature of Operator: _____ Date: _____

This application must be accompanied by a ☐ General Description ☐ Site Plan, and ☐ Location Map.

Enforcement Agency Name and Address:

FOR ENFORCEMENT AGENCY USE ONLY

Date received:
Date approved:
Date rejected:
Filing Fee:
SWIS #:

Instructions for Completing Registration Application:

Fill out this application form completely and accurately. After the Enforcement Agency has review[ed] the application, it will determine whether it meets the requirements of section 18104.1. If the Enforcement Agency finds that the application is complete and correct, a copy of this application and a permit will be returned to you. If the application is not found to be complete and correct it will not be accepted for filing. For additional information on the procedure used for processing this application refer to Title 14 of the California Code of Regulations, Section 181094 et. seq.

Facility Name: The legal name of the facility.

Facility Address/Location: The address of the facility and a description of the location if different.

Facility Operator/Land Owner: Provide both the mailing addresses and the location/address where process may be served.

Section Authorizing Eligibility:

You must determine the appropriate Section in Chapters 3 or 3.1 of Division 7 of Title 14 of the California Code of Regulations that authorizes eligibility. After determining the appropriate section list it on the application.

Site Capacity: Total capacity of material that can be stored at the site at any one time.

Peak Loading: Is the largest projected waste/material quantity to be received by an operation on any day of operation.

Annual Loading: Is the maximum amount of waste/material to be handled by an operation annually.

Days and hours of Operation: The days and hours that the facility is in operation.

Facility Size: The total acreage of the site.

Operating area: The total acreage that is used for all operations.

Traffic: State the maximum number of vehicles that will enter and haul incoming material or remove material on a daily basis.

The operator is required to supply conformance-finding information. Whichever one of the two statements above is appropriate to your operation must be checked. To help you in making this determination, you can contact the Enforcement Agency, Local Task Force, or other solid waste-planning agency in your city or county.

The application must include a site map and a location map. The site map should include, but not be limited to, operations areas and their relationships to property boundaries, adjacent land uses, proposed drainage systems, any excavation areas, and any other portions of the site dedicated to a specific use. The location map should show the general location of the operation at a scale size minimally equivalent to 1:24,000 USGS topographical quadrangle.

This application must be signed, under penalty of perjury, by both the land owner and the operator.

APPENDIX R

State of California CIWMB - 81 (rev. 1/95)		California Integrated Waste Management Board
REGISTRATION PERMIT		
Facility/Permit Number (SWIS):		
Name of Facility:		
Name and Address of Enforcement Agency:		
Signature of Local Enforcement Agency Approving Officer:		Date of Issuance:
Please print or type Name and Title of Approving Officer:		
<i>This permit has been issued by the enforcement agency in accordance with Title 14, California Code of Regulations, section 18104. This registration permit incorporates by reference, as terms and conditions of the permit, all minimum standards applicable to it, as set forth in Title 14, Division 7 of the California Code of Regulations. These minimum standards include, but are not limited to the following:</i>		
<i>The facility for which this permit has been issued may only be operated in accordance with the description provided in the attached application, which is hereby incorporated by reference.</i>		
<i>This permit shall be reviewed at least once every five years from the date of issuance noted above pursuant to Title 14, California Code of Regulations, section 18104.7.</i>		

APPENDIX S

Local Enforcement Agency Permit Toolbox Permit Tasks and Tiers Chart


Use this chart to determine which permit process tasks and permit application elements apply to each regulatory tier.

- [Operator/applicant tasks](#)
- [EA/LEA tasks](#)
- [Board tasks](#)

Also see the [Permit Tier Placement Chart](#) which shows the types of facilities and operations that are slotted into each type of permit tier.

Note: This page has been updated to reflect Assembly Bill 1497 (effective on January 1, 2004). See the [all-LEA e-mail](#) providing interim guidance on implementing the provisions of [AB 1479](#).

Operator Permit Tasks and Application Elements	Regulatory Permit Tier			
	Full	Standardized	Registration	Notification
	Title 27, Section 21570	Title 14, Section 18105	Title 14, Section 18104	Title 14, Section 18103
Prepare and Submit Application for New or Revised Permit	Yes, 150 days prior to operation or changes.	Yes	Yes	Notify LEA
Application Form	Yes	Yes	Yes	Notify LEA
RFI	Yes	Yes	Yes	No. An operations plan or OIMP are required for some operations.
CEQA Information	Yes	Yes	No (may be required by local agency)	No (may be required by local agency)
Conformance Finding	Yes (Unless the facility is a transfer station which recovers less than 5% of the volume of materials received for reuse or recycling)	Yes (There are no transfer stations in the standardized tier)	Yes (Unless the facility is a transfer station which recovers less than 5% of the volume of materials received for reuse or recycling)	No. (Must provide evidence that local planning department was notified)
CUP	Yes	No (may be required by local agency)	No (may be required by local agency)	No (may be required by local agency)
Complete Closure Plan	Yes, for Landfill	No	No	No
Financial Assurance	Yes, for Landfill	No	No	No
Operating Liability	Yes, for Landfill	No	No	No
Owner/Operator Certification	Yes	Yes	Yes	No
Apply for 5-Year Permit Review	Yes, 150 days prior to due date.	No. Certify no changes or apply for new permit.	No. Certify no changes or apply for new permit.	N/A
LEA Permit Tasks and Application Elements	Full	Standardized	Registration	Notification
	Title 27, Section 21650	Title 14, Section 18105	Title 14, Section 18104	Title 14, Section 18103
Provide guidance to applicant and local planning agencies on permit, local land use, and	Yes.	Yes.	Yes.	Yes.

CEQA.				
Review Permit at Least Every 5 Years from Date Issued	Yes. LEA notifies operator 150 days prior to due date.	Yes. CIWMB notifies LEA and operator 60 days prior.	Yes. CIWMB notifies LEA and operator 60 days prior.	N/A
Permit Review Report	Yes	No (new permit is reissued every 5 years)	No (new permit is reissued every 5 years)	N/A
Process RFI Amendment	Yes, if certain findings can be made.	N/A. Must obtain new permit.	N/A. Must obtain new permit	N/A
Approve Change in Owner and/or Operator	Yes, if certain findings can be made.	New permit if operator change. Notify LEA if owner change.	New permit if operator change. Notify LEA if owner change.	N/A
Request Application for Revised Permit	Yes, if significant changes.	No. Operator must apply for new permit if any changes.	No. Operator must apply for new permit if any changes.	N/A. Notify LEA of changes.
Review Application Package	Yes	Yes	Yes. Review is limited. No discretionary action.	N/A
 LEA Public Hearing	Yes for revised permits. No for new permits.	Yes for Construction and Demolition/Inert Debris (CDI).		No
Accept or Reject Application	Yes, within 60 days for revised permits and within 30 days for new permits.	Yes, within 30 days.	Yes, within 30 days.	N/A
Pre-Permit Inspection	Yes. Board/LEA	Yes. Board/LEA	As needed by LEA.	N/A
Write Permit	Yes, with terms and conditions.	No. Permit is in the regulations.	No. Permit is in the regulations.	No
Submit Permit Package to Board	Yes, within 55 days of acceptance of application.	Yes, within 15 days of acceptance of application.	No. Issue permit within 5 days of acceptance of application.	N/A. Submit notification within 5 days of receipt.
Accepted Permit Package	Yes	Yes	No	N/A
LEA Certification	Yes	No	No	No
LEA CEQA Finding	Yes	Yes	No	No
RWQCB Information	Yes, if RWQCB enforcement action against landfill.	No	No	No
Permit Review Report	Yes	No	No	N/A
Public Hearing	Yes	Yes for CDI sites	Yes for CDI sites	No
Public Comments	Yes	Yes	Yes	No
Attend Board Meeting	Yes	Yes	N/A	N/A
Issue (or Deny) Permit	Yes, after Board hearing. Board has 60 days to act.	Yes, after Board hearing. Board has 30 days to act.	Yes, without Board concurrence.	N/A
Enforce Permit	Yes. Monthly inspections.	Yes. Monthly inspections.	Yes. Monthly inspections.	Quarterly inspections.
Board Permit Tasks and Application Elements	Full	Standardized	Registration	Notification
	Title 27, Section 21685	Title 14, Section 18105	Title 14, Section 18104	Title 14, Section 18103
Provide guidance to applicant and local planning agencies on permit, local land use, and CEQA .	Yes.	Yes.	Yes.	Yes.
Review Permit Package	Yes	Yes	No	N/A
Prepermit Inspection	Yes	Yes	No	No

Submit Title and Write Agenda Item	Yes, approximately 30 days prior to Board meeting.	Yes, approximately 30 days prior to Board meeting.	No	N/A
Concur or Object to Permit	Yes, within 60 days of receipt of proposed permit.	Yes, within 30 days of receipt of proposed permit.	No	No
Maintain Solid Waste Information System (SWIS) Database	Yes.	Yes.	Yes.	Yes.

Note: All references to a time period of "days" means "calendar days".

Also see the [Permit Tier Placement Chart](#) which shows the types of facilities and operations that are slotted into each type of permit tier.

Last updated: October 29, 2004

STANDARDIZED PERMIT APPLICATION

SEE INSTRUCTIONS ON BACK

CITY NAME	FACILITY PHONE NUMBER ()
CITY ADDRESS (INCLUDE STREET, P.O. BOX, CITY, STATE, ZIP CODE)	
CITY OPERATOR'S NAME	OPERATOR'S PHONE NUMBER ()
OPERATOR'S ADDRESS (INCLUDE STREET, P.O. BOX, CITY, STATE, ZIP CODE)	
OWNER'S NAME (IF DIFFERENT FROM OPERATOR)	LAND OWNER'S PHONE NUMBER ()
OWNER'S ADDRESS (INCLUDE STREET, P.O. BOX, CITY, STATE, ZIP CODE)	

CALIFORNIA CODE OF REGULATIONS SECTION NUMBER AUTHORIZING ELIGIBILITY:

NAME OF WASTE MATERIAL(S) HANDLED (PLEASE BE SPECIFIC):	
NAME OF WASTE MATERIAL(S) HANDLED:	
CAPACITY: CUBIC YARDS	DAILY PEAK LOADING: CUBIC YARDS
ANNUAL LOADING: CUBIC YARDS	
DAYS AND HOURS OF OPERATION:	
LOT SIZE: ACRES	OPERATING AREA SIZE: ACRES
INCOMING WASTE MATERIAL (NUMBER OF VEHICLES PER DAY):	OUTGOING WASTE MATERIAL (NUMBER OF VEHICLES PER DAY):

OF THE FOLLOWING STATEMENTS MUST BE CHECKED:

Issuance of the permit will not prevent or substantially impair achievement of the diversion goals of the jurisdiction from which it received solid waste; the facility is identified and described in or conforms with the county solid management waste plan, or otherwise complies with Public Resources Code 50000; The facility is consistent with the city or county general plan and is compatible with surrounding land uses, or otherwise complies with Public Resources Code 50000.1

The facility is identified in either the countywide siting element, the nondisposal facility element, or in the source reduction and recycling element for the jurisdictions in which it is located; or, that the facility is not required to be identified in any of these elements pursuant to section 50001 of the public resources code.

APPLICATION MUST BE ACCOMPANIED BY A

REPORT OF FACILITY INFORMATION, ☐ SITE PLAN, ☐ LOCATION MAP, AND EITHER ☐ EVIDENCE OF COMPLIANCE WITH CEQA, OR ☐ INFORMATION ON THE STATUS OF CEQA.

CERTIFICATION

I hereby acknowledge that I have read this application, and certify under penalty of perjury that the information provided is true and accurate. In operating the facility, I agree to comply with the conditions of the permit, and with federal, state and local requirements and enactments.

OWNER'S SIGNATURE	DATE SIGNED
ATOR'S SIGNATURE	DATE SIGNED
FORCEMENT AGENCY NAME AND ADDRESS	

FOR ENFORCEMENT AGENCY USE ONLY

RECEIVED:	DATE APPROVED:	DATE REJECTED:	FILING FEE:	SWIS #:
-----------	----------------	----------------	-------------	---------

Instructions for Completing Standardized Application:

Fill out this application form completely and accurately in duplicate. After the Enforcement Agency (EA) has reviewed the application, the EA will determine whether the application meets the requirements of section 18105.I. If the EA finds the application is complete and correct, it shall be accepted for filing. If the application is not found to be complete and correct it will be returned. For additional information on the procedure used for processing this application refer to Title 14 of the California Code of Regulations, Section 18105.2 et. seg..

Facility Name: The legal name of the facility.

Facility Address/Location: The address of the facility and a description of the location if different.

Facility Operator/Land Owner: Provide both the mailing address and the location/address where process may be served.

Section Authorizing Eligibility: You must determine the appropriate Section of the Regulations that authorize eligibility. After determining the appropriate section list it on the application.

Type of Waste Material(s) Handled: Indicate the materials handled at the facility.

Site Capacity: Total capacity of material that can be stored at this site.

Daily Peak Loading: Is the largest project projected waste/material quantity to be received by an operation on any day of operation.

Annual Loading: Is the maximum amount of waste/material to be handled by an operation annually.

Traffic: State the maximum number of vehicles that will enter and haul incoming material or remove compost on a daily basis.

The operator is required to supply conformance finding information. Which ever of the two sections is appropriate to your operation must be checked. To make the determination you can contact the Enforcement Agency, Local Task Force, or other solid waste planning agency in your city or county.

The application must include a site map and a location map. The site map should include, but not be limited to, operations areas and their relationships to property boundaries, adjacent land uses, proposed drainage systems, any excavation areas, and any other portions of the site dedicated to a specific use. The location map should show the general location of the operation at a scale size minimally equivalent to 1:24000 USGS topographical quadrangle.

A Report of Facility Information (RFI) must be included with this application. The RFI must contain all of the information required by the applicable section(s) of Article 3.2, Chapter 5, of 14CCR.

The application must include one of the following: (1) Evidence that there has been compliance with the California Environmental Quality Act, or (2) Information on the status of the application's compliance with the California Environmental Quality Act regarding this facility. Once there has been compliance with the California Environmental Act, evidence shall be submitted to the enforcement agency.

This application must be signed, under penalty of perjury, by both the land owner and the operator.

APPENDIX U

State of California
CIWMB FORM 5000 (revised 12/96)

California Integrated Waste
Management Board

STANDARDIZED COMPOSTING PERMIT

1. Facility/Permit Number (SWIS):

2. Name of Facility:

Address/Location:

3. Local Enforcement Agency:

Address:

4. Signature of Local Enforcement Agency
Approving Officer:

6. Date of Signature:

5. Please Print or Type Name and Title of
Approving Officer:

7. Date Received by CIWMB:

8. Signature of CIWMB Approving Officer:

10. Date of Signature:

9. Please Print or Type Name and Title of
Approving Officer:

11. Date of Permit Issuance:

12. Permit Review Due Date:

The facility for which this permit has been issued shall only be operated in accordance with the description provided in the application pursuant to Section 18105.1 and Report of Composting Site Information pursuant to Section 17863.

13. Legal Description of Facility: (☐ Description may be attached)

14. Findings:
- a. This permit is consistent with standards adopted by the California Integrated Waste Management Board pursuant to Public Resources Code Section 44010.
 - b. An environmental determination (i.e., Notice of Determination), has been filed with the State Clearing House (#State Clearinghouse Number) for all facilities that are not exempt from CEQA and documents pursuant to Public Resources Code Section 21081.6.
 - c. The following authorized agent has made the determination that the facility is consistent with the applicable general plan, as required by Public Resources Code, Section 50000.5(a).
Name of Agency
 - d. The operation of this facility is consistent with the ☐ County Solid Waste Management Plan (50000), or the ☐ County Integrated Waste Management Plan (50001).
 - e. The design of the proposed facility or the design and operation of an existing facility, as appropriate, is in compliance with State Minimum Standards for Composting Operations Regulatory Requirements, Title 14, Division 7, Chapter 3.1 (commencing with Section 17850) of the California Code of Regulations.

15. In addition to this permit, the facility may have one or more of the following permits or restrictions on its operations. Persons seeking information regarding these items should contact the appropriate regulatory agency.

- ☐ Report of Composting Site Information
- ☐ State Water Resources Control Board/Regional Water Quality Control Board Waste Discharge Requirements or Waiver
- ☐ National Pollutant Discharge Elimination System (Stormwater) Permit
- ☐ Fire Protection District Findings
- ☐ Mitigation and Monitoring Measures (pursuant to the California Environmental Quality Act)
- ☐ Conditional Use Permit
- ☐ California Environmental Quality Act Environmental Impact Report or Negative Declaration
- ☐ Air Pollution Permits and Variances
- ☐ Coastal Commission Restrictions

16. Terms and Conditions:
- a. The operator shall comply with applicable state minimum standards set forth in Title 14, Division 7, Chapter 3.1 (commencing with Section 17850) of the California Code of Regulations.
 - b. The operator shall comply with all mitigation and monitoring measures developed in accordance with a certified environmental document filed pursuant to Public Resources Code Section 21081.6.
 - c. The operator shall maintain a copy of this standardized permit at the facility to be available at all times to facility, enforcement agency, or board personnel.
 - d. The operator shall maintain and make available for inspection by the enforcement agency and board all correspondence and reports provided to other regulatory agencies that have jurisdiction over the facility.
 - e. The operator shall be responsible for identifying the types of feedstocks accepted for processing.
 - f. The design capacity of cubic-yards of material undergoing the composting process shall not be exceeded. This requirement does not include on-site storage of feedstock or stabilized compost.
 - g. Additional clarifying information concerning the design and operation of the composting facility shall be

furnished upon written request of the enforcement agency, or the board.

h. The operator shall notify the enforcement agency, in writing, within thirty (30) days of receipt of the test results, of any noncompliance with Sections 17868.2 and 17868.3 of Chapter 3.1, Division 7, Title 14, of the California Code of Regulations.

i. Unless specifically permitted or allowed under Title 14, Division 7, Chapter 3.1 of the California Code of Regulations, the facility shall not accept the following materials:

(1) Designated wastes as defined in Title 23, Chapter 15, Section 2522 of the California Code of Regulations

(2) Hot Ashes/Burning materials

(3) Medical wastes as defined in Section 25023.2 of the Health & Safety Code

(4) Hazardous Wastes as defined in Section 25117 of the Health & Safety Code

(5) Liquid Wastes as defined in Title 23, Chapter 15, Section 2601 of the California Code of Regulations (unless approved by RWQCB and the enforcement agency)

j. The following activities are prohibited:

(1) Scavenging

(2) Salvaging

(3) Discharge of wastes off-site

(4) Vector propagation or harborage

k. The facility, if located outside of a city, shall be maintained in compliance with the flammable clearance provisions, pursuant to Public Resources Code Section 44151.

APPENDIX V

State of California
CIWMB FORM 98 (new 7/96)

STANDARDIZED NONHAZARDOUS ASH SOLID WASTE FACILITY PERMIT

1. Facility/Permit Number (SWIS):
2. Facility Name and Address/Location:
3. Operator Name and Mailing Address:
4. Owner Name and Mailing Address:
5. Enforcement Agency and Address:
6. Signature of Enforcement Agency Approving Officer:
7. Please Print or Type Name and Title of Approving Officer:
8. Date Signed:
9. Date Received by CIWMB:
10. CIWMB Concurrence Date:
11. Signature of CIWMB Approving Officer:
12. Please Print or Type Name and Title of Approving Officer:
13. Date Signed:
14. Date of Permit Issuance:
15. Permit Review Due Date:

The facility for which this permit has been issued shall only be operated in accordance with the description provided in the application pursuant to Section 18105.1 and Report of Nonhazardous Ash Disposal Site Information pursuant to Section 18226. (Applicants may use the Standardized Permit Application CIWMB 92).

16. Legal Description of Facility: (description may be attached)
17. Findings:

a. This permit is consistent with standards adopted by the California Integrated Waste Management Board, pursuant to Public Resources Code Section 44010.

b. ☐ A CEQA exemption (state the type, and identify section of exemption, or N/A), , or ☐ a (state type of environmental document, date, and SCH#) has been filed with the State Clearinghouse and adopted or

certified. Where mitigation measures have been identified, a Mitigation Reporting or Monitoring Program has been adopted as part of the project pursuant to Public Resources Code Section 21081.6.

c. The following authorized agent has made the determination that the facility is consistent with the applicable general plan, as required by Public Resources Code, Section 50000.5(a).

d. The operation of this facility is consistent with the [] County Solid Waste Management Plan (50000), or the [] County Integrated Waste Management Plan (50001).

e. The design of the proposed facility or the design and operation of an existing facility, as appropriate, is in compliance with State Minimum Standards for Nonhazardous Ash Operations and Facility Regulatory Requirements, Title 14, Division 7, Chapter 3, Article 5.8 of the California Code of Regulations.

f. Public Resources Code Section 44009 has been complied with.

18. In addition to this permit, the facility may have one or more of the following permits or restrictions on its operations. Persons seeking information regarding these items should contact the appropriate regulatory agency.

Report of Nonhazardous Ash Disposal Site Information

State Water Resources Control Board/Regional Water Quality Control Board Waste Discharge Requirements or Waiver

National Pollutant Discharge Elimination System (Stormwater) Permit

Fire Protection District Findings

Mitigation and Monitoring Measures (pursuant to the California Environmental Quality Act)

Conditional Use Permit/Land Use Permit

California Environmental Quality Act Environmental Impact Report or Negative Declaration

Air Pollution Permits and Variances

Coastal Commission Restrictions

Other Permits may also apply

19. Terms and Conditions:

a. The operator shall comply with applicable state minimum standards set forth in Title 14, Division 7, Chapter 3, Article 5.8 of the California Code of Regulations.

b. The operator shall comply with all applicable mitigation and monitoring measures that are to be implemented with the enforcement agency.

c. The operator shall maintain a copy of this standardized permit at the facility or at a location agreed upon by enforcement agency, to be available at all times to facility, enforcement agency, and CIWMB personnel.

- d. The operator shall maintain and make available for inspection by the enforcement agency and CIWMB all correspondence and reports provided to other regulatory agencies that have jurisdiction over the facility.
- e. The design capacity of tons or cubic-yards (circle one) per day of nonhazardous ash being disposed of shall not be exceeded.
- f. The facility has a total operating area of acres.
- g. The maximum quantity of nonhazardous ash that can be received per any operating day is tons or cubic yards (circle one).
- h. The days and hours of operation shall be . For facilities with continuous operations, indicate the start of the operating day for purpose of calculating amount of nonhazardous ash received per day.
- i. Additional clarifying information concerning the design and operation of the nonhazardous ash facility shall be furnished upon written request of the enforcement agency or the CIWMB.
- j. Unless specifically permitted or allowed under Title 14, Division 7, Chapter 3, Article 5.8 of the California Code of Regulations, the facility shall only accept nonhazardous ash.
- k. Migration of wastes, leachate, or dust off-site are prohibited.
- l. The facility, if located outside of a city, shall be maintained in compliance with the flammable clearance provisions, pursuant to Public Resources Code Section 44151.

APPENDIX W

Standardized Contaminated Soil Solid Waste Facility Permit

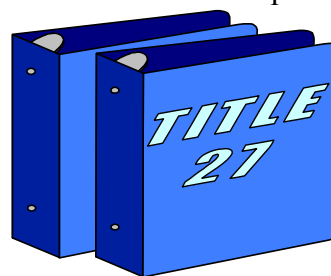
Electronic version not available at the time of this printing.

APPENDIX X

Permit Application Package Operator Requirements - Section 21570

A complete and correct application package shall include, but not necessarily be limited to, the following items:

- ☐ **Completed Joint Application Form** - Application form and package must be submitted in duplicate to enforcement agency. One copy of the form must also be submitted to Regional Water Quality Control Board (RWQCB).
- ☐ **Report of Facility Information (RFI)** In the case of disposal sites, this will be a Report of Disposal Site Information (RDSI) or a RDSI in the format of a Joint Technical Document (JTD) with a copy submitted to the RWQCB..
- ☐ **CEQA Information** - Evidence that there has been compliance with CEQA; or information on the status of compliance with CEQA, including the proposed project description; and any CEQA Mitigation Monitoring Implementation Schedule.
- ☐ **Conformance Finding Information** - A statement that the facility is identified in either the countywide siting element (SE), the nondisposal facility element (NDFE), or in the Source Reduction and Recycling Element (SRRE) for the jurisdiction in which it is located; or, that the facility is not required to be identified in the Integrated Waste Management Plan (IWMP) pursuant to Public Resources Code section 50001.
- ☐ **Complete Closure Plan** - For disposal sites, completeness determination of Preliminary or Final Closure/Postclosure Maintenance Plan as specified in sections 21780, 21865, and 21890 .
- ☐ **Financial Assurance Information** - For disposal sites, current documentation of acceptable funding levels for the approved Financial Assurance Mechanism.
- ☐ **Operating Liability Information** - For disposal sites, current documentation of compliance with operating liability requirements.
- ☐ **Land Use and/or Conditional Use Permits**
- ☐ **Owner/Operator Certification** - All information in the application package shall be certified by the applicant and the owner of the site as being true and accurate to the best knowledge and belief of each. The applicant, owner of the facility, or both, shall supply additional information as deemed necessary by the LEA/EA.



Proposed Permit Package LEA Requirements - Section 21650

The LEA/EA shall either accept or reject the application package within **60 days** of its receipt for **revised** permits or **30 days** for **new** permits. No later than **55 days** after the application package has been accepted and filed, the LEA/EA shall mail the CIWMB the following:

- ☐ **A copy of the proposed permit**
- ☐ **The accepted application package**
- ☐ **LEA/EA Certification** - A certification from the LEA/EA that the permit package is complete and correct, including a statement that the RFI meets the requirements of 27CCR §21600 (Landfills), 14CCR §18221.6 (Transfer/Processing), or 14CCR §17863 (Composting).
- ☐ **RWQCB Information** - Documentation, if applicable, of the applicant's compliance with any RWQCB enforcement order or the status of the applicants WDRs, as described in PRC section 44009.
- ☐ **Public Comments** - Any written public comments received on a pending application. **Note:** Effective January 1, 2004, AB 1497 requires enforcement agencies to hold a public hearing before making a determination on an application for a **revised** permit.
- ☐ **Permit Review Report** - A permit review report which has been prepared pursuant to CCR section 21675, within the last five years.
- ☐ **LEA/EA CEQA Finding** - A finding that the proposed permit is consistent with and is supported by existing CEQA analysis, or information regarding the progress toward CEQA compliance.

Note: "Laundry List " is derived from:
AB1220 Full Permit Application Package,
California Code of Regulations (CCR),
Title 27, Sections 21570 and 21650

Title 27 Effective 7/18/1997

This handout updated 3/16/2004

APPENDIX Y

Solid Waste Facility Application And

Instructions to Complete

APPLICATION FOR SOLID WASTE FACILITY PERMIT/WASTE DISCHARGE REQUIREMENTS

CIWMB E-1-77 (Rev. 8-04)

NOTE: This form has been developed for multiple uses. It is the transmittal sheet for documents required to be submitted to the appropriate agency. Please refer to the attached instructions for definitions of terms and for completing this application form in a complete and correct manner.

FOR OFFICIAL USE ONLY

SWIS NUMBER:	FILING FEE:	RECEIPT NUMBER:	DATE RECEIVED:
DATE ACCEPTED:	DATE REJECTED:	ACCEPTANCE DATE OF INCOMPLETE APPLICATION: _____ DATE DUE: _____	

Part 1. GENERAL INFORMATION

A. ENFORCEMENT AGENCY:	B. COUNTY:
C. TYPE OF APPLICATION (Check one box only):	
<input type="checkbox"/> 1. NEW SWFP and/or WDRS	<input type="checkbox"/> 4. PERMIT REVIEW
<input type="checkbox"/> 2. REVISION OF SWFP and/or WDRS	<input type="checkbox"/> 5. AMENDMENT OF APPLICATION
<input type="checkbox"/> 3. EXEMPTION and/or WAIVER	<input type="checkbox"/> 6. RFI/ROWD/JTD AMENDMENTS

Part 2. FACILITY DESCRIPTION

A. NAME OF FACILITY:

B. LOCATION OF FACILITY:

1. PHYSICAL ADDRESS OR LOCATION AND ZIP CODE: _____

2. LATITUDE AND LONGITUDE: _____

3. LEGAL DESCRIPTION OF PERMITTED BOUNDARY BY SECTION, TOWNSHIP, RANGE, BASE, AND MERIDIAN, IF SURVEYED: _____

C. TYPE OF ACTIVITY: (Check applicable boxes):

<input type="checkbox"/> 1. DISPOSAL a. TYPE : _____	<input type="checkbox"/> 3. TRANSFORMATION	<input type="checkbox"/> 5. OTHER (describe): _____
<input type="checkbox"/> 2. COMPOSTING a. TYPE: _____	<input type="checkbox"/> 4. TRANSFER/PROCESSING FACILITY	

☐ CHECK HERE IF RECYCLABLE MATERIALS ARE RECOVERED PRIOR TO TRANSFER/PROCESSING.

D. CONFORMANCE FINDING INFORMATION (CIWMP):

☐ 1. FACILITY IS IDENTIFIED IN (Check one):

<input type="checkbox"/> SITING ELEMENT	DATE OF DOCUMENT _____	PAGE # _____
<input type="checkbox"/> NONDISPOSAL FACILITY	DATE OF DOCUMENT _____	PAGE # _____

☐ 2. FACILITY IS NOT REQUIRED TO BE IDENTIFIED IN SITING ELEMENT OR NONDISPOSAL FACILITY ELEMENT

E. TYPE OF PERMITTED WASTES TO BE RECEIVED: (Check applicable boxes):

<input type="checkbox"/> 1. AGRICULTURAL	<input type="checkbox"/> 6. CONSTRUCTION/DEMOLITION	<input type="checkbox"/> 11. LIQUIDS
<input type="checkbox"/> 2. ASBESTOS <input type="checkbox"/> Friable <input type="checkbox"/> Non-friable	<input type="checkbox"/> 7. CONTAMINATED SOILS	<input type="checkbox"/> 12. MIXED/MUNICIPAL SOLID WASTE
<input type="checkbox"/> 3. ASH	<input type="checkbox"/> 8. DEAD ANIMALS	<input type="checkbox"/> 13. SEWAGE SLUDGE
<input type="checkbox"/> 4. AUTO SHREDDER	<input type="checkbox"/> 9. INDUSTRIAL	<input type="checkbox"/> 14. TIRES
<input type="checkbox"/> 10. INERT	<input type="checkbox"/> 15. OTHER (describe): _____	

Part 3. FACILITY INFORMATION

A. PROPOSED CHANGE (Check applicable box(es)):

☐

1. DESIGN (describe):

☐

2. OPERATION (describe):

☐

3. OWNER, OPERATOR, ADDRESS, AND/OR FACILITY NAME CHANGE (describe):

☐

4. OTHER (describe):

B. FACILITY INFORMATION:

1. INFORMATION APPLICABLE TO ALL FACILITIES:

a. PEAK DAILY TONNAGE OR CUBIC YARDS

1) DISPOSAL/TRANSER (unit)

2) OTHER (unit)

b. DAILY DESIGN TONNAGE (TPD)

c. FACILITY SIZE (acres)

d. PEAK TRAFFIC VOLUME PER DAY (vpd)

e. DAYS AND HOURS OF OPERATION

2. ADDITIONAL INFO. REQUIRED FOR COMPOSTING FACILITIES ONLY:

a. SITE STORAGE CAPACITY (cu yds)

3. ADDITIONAL INFORMATION REQUIRED FOR LANDFILLS ONLY:

a. AVERAGE DAILY TONNAGE (TPD)

b. SITE CAPACITY CURRENTLY PERMITTED (Airspace) (cu yds)

c. SITE CAPACITY PROPOSED (Airspace) (cu yds)

d. SITE CAPACITY USED TO DATE (Airspace) (cu yds)

e. SITE CAPACITY REMAINING (Airspace) (cu yds)

f. DATE OF CAPACITY INFORMATION (Date) (See instructions):

g. LAST PHYSICAL SITE SURVEY (Date)

h. ESTIMATED CLOSURE DATE (month and year)

i. DISPOSAL FOOTPRINT (acres)

j. SITE CAPACITY PLANNED (cu yds)

k. 1. (i) IN-PLACE WASTE DENSITY (lbs of waste per cu yd of waste) AND (ii) WASTE-TO-COVER RATIO (Estimated) (v:v) OR 2. AIRSPACE UTILIZATION FACTOR (tons of waste per cu yd of landfill airspace)

Part 4. SOURCE OF WATER SUPPLY (Check applicable boxes)

☐A. MUNICIPAL OR UTILITY SERVICE:

☐B. INDIVIDUAL (wells):

☐C. SURFACE SUPPLY:

1. NAME OF STREAM, LAKE, ETC. :

2. TYPE OF WATER RIGHTS:

☐RIPARIAN

☒APPROPRIATION

3. STATE PERMIT OR LICENSE NUMBER , IF APPLICABLE:

Part 5. COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) (Check applicable boxes)

A. CHECK BOX(ES) IF ENVIRONMENTAL DOCUMENT WAS OR WILL BE PREPARED FOR THIS PROJECT AND PROVIDE THE STATE CLEARINGHOUSE NUMBER (SCH#):

☐ ENVIRONMENTAL IMPACT REPORT (EIR) SCH# _____

☐ NEGATIVE DECLARATION (ND)/MITIGATED NEGATIVE DECLARATION (MND) SCH# _____

☐ ADDENDUM TO (Identify environmental document) _____ SCH# _____

B. IF ENVIRONMENTAL DOCUMENT(S) WAS NOT PREPARED, PLEASE PROVIDE THE FOLLOWING INFORMATION:

☐ CATEGORICAL/STATUTORY EXEMPTION (CE/SE)
EXEMPTION TYPE _____ GUIDELINE # _____

Part 6. LIST OF ATTACHMENTS (Fill in the date for each document checked)

A. REQUIRED WITH ALL APPLICATION SUBMITTALS:

<input type="checkbox"/> RFI/JTD _____	<input type="checkbox"/> ENVIRONMENTAL DOCUMENT(S):
<input type="checkbox"/> LOCAL USE/PLANNING PERMITS _____	<input type="checkbox"/> EIR _____
<input type="checkbox"/> LOCATION MAP _____	<input type="checkbox"/> MND/ND _____
<input type="checkbox"/> MITIGATION MONITORING IMPLEMENTATION SCHEDULE _____	<input type="checkbox"/> EXEMPTION _____
	<input type="checkbox"/> ADDENDUM _____

B. ADDITIONAL REQUIRED DOCUMENTS FOR LANDFILLS ONLY:

<input type="checkbox"/> OPERATING LIABILITY FINANCIAL MECHANISM _____	<input type="checkbox"/> FINANCIAL RESPONSIBILITY DOCUMENTATION _____
<input type="checkbox"/> CLOSURE/POST CLOSURE MAINTENANCE PLAN	<input type="checkbox"/> LANDFILL CAPACITY SURVEY RESULTS (see instructions) _____
<input type="checkbox"/> PRELIMINARY _____	
<input type="checkbox"/> FINAL _____	

C. IF APPLICABLE:

<input type="checkbox"/> REPORT OF WASTE DISCHARGE _____	<input type="checkbox"/> DEPT. OF HEALTH SERVICES PERMIT _____
<input type="checkbox"/> CONTRACT AGREEMENTS _____	<input type="checkbox"/> SWAT (Air and water) _____
<input type="checkbox"/> STORMWATER PERMIT APPLICATION _____	<input type="checkbox"/> WETLANDS PERMITS _____
<input type="checkbox"/> NPDES PERMIT APPLICATION _____	<input type="checkbox"/> VERIFICATION OF FIRE DISTRICT COMPLIANCE _____
<input type="checkbox"/> OTHER _____	

Part 7. OWNER INFORMATION (For disposal site, if operator is different from land owner, attach lease or other agreement)

TYPE OF BUSINESS:

<input type="checkbox"/> SOLE PROPRIETORSHIP	<input type="checkbox"/> PARTNERSHIP	<input type="checkbox"/> CORPORATION	<input type="checkbox"/> GOVERNMENT AGENCY
--	--------------------------------------	--------------------------------------	--

OWNER(S) OF LAND (Name):	SSN OR TAX ID #
ADDRESS, CITY, STATE, ZIP	TELEPHONE #:
	FAX #:
	E-MAIL ADDRESS:
	CONTACT PERSON (Print Name):

Part 8. OPERATOR INFORMATION (For disposal site, if operator is different from land owner, attach lease or other agreement)

TYPE OF BUSINESS:

☐ SOLE PROPRIETORSHIP

☐ PARTNERSHIP

☐ CORPORATION

☐ GOVERNMENT AGENCY

FACILITY OPERATOR(S)

(Name):

SSN OR TAX ID #:

ADDRESS, CITY, STATE, ZIP

TELEPHONE #:

FAX #:

E-MAIL ADDRESS:

CONTACT PERSON (Print Name):

ADDRESS WHERE LEGAL NOTICE MAY BE SERVED:

Part 9. SIGNATURE BLOCK

Owner:

I certify under penalty of perjury that the information I provided for this application and for any attachments is true and accurate to the best of my knowledge and belief. I am aware that the operator intends to operate a solid waste facility at the site specified above pursuant to this application and understand that I may be responsible for the site should the operator fail to meet applicable requirements.

SIGNATURE (LAND OWNER OR AGENT):

PRINTED NAME:

TITLE:

DATE:

Operator:

I certify under penalty of perjury that the information contained in this application and all attachments are true and accurate to the best of my knowledge and belief.

SIGNATURE (FACILITY OPERATOR OR AGENT):

PRINTED NAME:

TITLE:

DATE:

Part 10. OTHER (Attach additional sheets to explain any responses that need clarification).

NEW

**INSTRUCTIONS FOR COMPLETING THE APPLICATION FOR
SOLID WASTE FACILITY PERMIT/WASTE DISCHARGE REQUIREMENTS**

This application form is for a Solid Waste Facility Permit (SWFP) and/or Waste Discharge Requirements (WDRs) to receive, store, process, transform, or dispose of solid waste regulated by the California Integrated Waste Management Board (CIWMB)/Local Enforcement Agency (LEA) and the California Regional Water Quality Control Boards (RWQCB). The application is to be used for both new and revised permits, and expansions. All applications must be filled out completely. Check with local or county enforcement agency for specific permit requirements and/or exemptions. This form and the filing fee should be sent to the appropriate agency(ies) indicated below:

FORM TYPE / USE	APPROPRIATE AGENCY	
Application for a Solid Waste Facility Permit	CIWMB/LEA	
Report of Waste Discharge / WDRs		RWQCB

If you have any questions on the completion of this form, please contact the appropriate agency(ies) for assistance. You can download this form from the CIWMB website at <http://www.ciwmb.ca.gov/LEACentral>.

For direct discharge (point source discharge) to surface waters, a different application form is required in place of this form. Please contact the appropriate Regional Water Quality Control Board for a National Pollutant Discharge Elimination System (NPDES) application form to apply for a permit for this type of discharge.

The Application for Solid Waste Facility Permit/Waste Discharge Requirements provides initial notice of a waste discharge. In most instances, additional information will be required, and should be submitted on 8 ½ "X 11" paper. Submit two copies of the completed form and of any required report(s), and filing fee to the Enforcement Agency (EA). Submit one copy of the form and any required report and filing fee to the RWQCB. The agency(ies) will advise you of any additional information that may be required to complete this application and waste disposal report.

You will be notified of the effective date of the application by each agency.

AMOUNT OF FILING FEES

- EA - The enforcement agencies shall determine the exact fee.
- RWQCB - Use flow or units reported in Part 4 (application form) and the appropriate class schedule A, B, B1, B3, or C (attached filing fee schedule).

FOR OFFICIAL USE ONLY (CIWMB/LEA/RWQCB staff)

SWIS Number: The Solid Waste Information System (SWIS) number assigned to the facility by CIWMB staff.

Filing Fee: The amount of filing fee submitted by the applicant.

Receipt Number: The number assigned to the application by CIWMB/LEA/RWQCB staff.

Date Received: The date the application package is received from the applicant (Title 27, section 21650(a)).

Date Accepted: The date the EA accepts application package for filing (Title 27, section 21650(a)).

Date Rejected: The date the EA determines that the application package is rejected (Title 27, section 21650(d)).

Date Acceptance of Incomplete Application: The date the EA accepts an application package as incomplete (Title 27, section 21580)

Due Date: 180 days from the date the application was accepted as incomplete (Title 27, section 21580).

Part 1. GENERAL INFORMATION

-
- A. Enforcement Agency:** Enter the name of the EA.
- B. County:** Enter the name of the county in which the facility is located.
- C. Type of Application:** Check the box (one box only) that describes the reason the application is being submitted.
1. **New SWFP and/or WDRs:** *A facility that does not have a current full SWFP or WDRs.*
 2. **Revision of SWFP and/or WDRs:** *Applicant is proposing to make a change to the design or operation of the facility.*
 3. **Exemption and/or Waiver:** *The facility is exempted from a full SWFP pursuant to Title 27, section 21565 and/or WDRs have been waived.*
 4. **Review:** *To comply with the five-year permit review requirement (Title 27, section 21640).*
 5. **Amendment of Application:** *If after the application package has been submitted and before issuance or denial of the permit or alteration thereof, the applicant changes any of the information required in the application package.*
 6. **RFI/ROWD/JTD Amendments:** *For existing permitted facilities, when an owner/operator proposes to make minor changes in design or operation supported by an existing or new CEQA documentation. The application package is submitted to the EA and/or RWQCB to determine if the proposed change(s) can be allowed without an application for a revision.*
-

Part 2. FACILITY DESCRIPTION

- A. Name of Facility:** The name as it is to be listed on the SWFP and/or WDRs.
- B. Location of Facility:**
1. The physical address of the facility or a description of the location. Include directions to the location of the facility and the name of the nearest city or named place, i.e. mountain, lake, cross roads, etc. Provide the zip code for the actual facility location, not the mailing address.
 2. Latitude and longitude is to be submitted in Degrees, Minutes, and Seconds, or Decimal Degrees. Use of a GPS instrument is recommended. It indicates the center of the waste foot print, existing or proposed, for disposal sites, and the office or gate for all other facilities (i.e. transfer, composting, etc.)
 3. Map or sketch should be to a scale adequate to show the precise location of the permitted boundary. Use of a portion of a U.S.G.S. Quadrangle map is recommended. Map must show proximity of disposal location to populated areas and must indicate all wells and drainage courses within 1,000 feet of any disposal point. The map must include approaches and/or access roads, streets, and/or highways. The legal description shall include the applicable portions of the section(s) of the township, range, base, and meridian. The facility shall have permanent monuments or other physical features that adequately delineate the permitted boundary in the field.
- C. Type Of Activity:** Check all that apply or will apply for the type of facility covered under this application package.
1. **Disposal:** A facility that includes a place, location, tract of land, area, or premises in use, intended to be used, or which has been used, for landfill disposal of solid waste; and
- a. Type:** The type of facility, such as, mono-fill, C&D/inert, municipal solid waste.
2. **Composting:** a facility that is operated for the purpose of producing compost; and
- a. Type:** The type of composting facility, e.g. green waste, food waste, biosolids, or MSW.
3. **Transformation:** A facility that incinerates, pyrolysis, distillation, or biological conversion other than composting. Transformation does not include composting, gasification, or biomass conversion.
 4. **Transfer/Processing Facility:** A facility that receives, handles, separates, converts or otherwise processes materials in solid waste; and/or transfer solid waste directly from one container to another or from one vehicle to another for transport; and/or store solid waste. For Informational Purposes Only: Check the box if recyclable materials are recovered prior to transfer/processing.
 5. **Other:** An activity not listed above.
- D. Conformance Finding Information (CIWMP):**
- 1) If the location of the facility is identified in either a Countywide Siting Element or a Nondisposal Facility Element, check the appropriate box, fill in the date of the document and the page on which the facility is identified. If you do not currently have this information, you may obtain it from the jurisdiction in which the facility is located.
 - 2) If the facility is a Transfer Station that will divert less than 5% of the material that it receives, it is not required to be identified in either a Countywide Siting Element or a Nondisposal Facility Element and you should check the appropriate box.
- E. Type Of Permitted Wastes To Be Received:** Check all that apply for the type of material covered under this application package:
1. **Agricultural:** Wastes resulting from the production and processing of farm or agricultural products, including manures, prunings, and crop residues.

2. **Asbestos:** A naturally occurring family of carcinogenic fibrous mineral substance. The State Department of Health Services has classified friable wastes which contain more than one percent asbestos by weight as hazardous wastes. Friable means that the material can be crumbled with pressure and, therefore, is likely to emit fibers. Indicate whether the asbestos is friable or non-friable.
3. **Ash:** The residue from the incineration of solid wastes, including municipal waste, infectious waste, woodwaste, sludge, and agricultural waste.
4. **Auto Shredder:** The "fluff" consisting of upholstery, paint, plastics, and other non-metallic substances that remains after the shredding of automobiles, discarded household major appliances, and sheet metal. The State Department of Health Services has classified untreated shredder wastes as hazardous.
5. **Compostable Material:** Any organic material that when accumulated will become active compost.
6. **Construction/Demolition Waste:** Waste that result from construction, remodeling, repair, demolition or deconstruction of buildings, and other structures.
7. **Contaminated Soil:** Waste which contains designated or nonhazardous concentrations and has been determined to be a waste that requires regulation by the RWQCB or Local Oversight Agency.
8. **Dead Animals:** Animal carcasses requiring disposal that have **not** been previously used for medical purposes or with known infectious diseases.
9. **Industrial:** Solid or semi-solid wastes resulting from industrial processes and manufacturing operations, e.g. cement kiln dust, ore process residues, grit or screenings removed from a waste water treatment facility, etc.
10. **Inert:** Solid waste and recyclable materials that are source separated or separated for reuse, do not contain hazardous waste or soluble pollutants at concentrations in excess of applicable water quality objectives and do not contain significant quantities of decomposable waste. Inert debris may not contain more than 1% putrescible wastes by volume calculated on a monthly basis and the putrescible wastes do not constitute a nuisance, as determined by the EA.
11. **Liquids:** Wastes which are not spadeable, usually containing less than 50% solids. These wastes include cannery and food processing wastes, landfill leachate and gas condensate, boiler blowdown water, grease trap pumpings, oil and geothermal field wastes, septic tank pumpings, rendering plant byproducts, some sewage sludge, etc.
12. **Mixed/ Municipal:** Residential and commercial refuse, garbage and/or rubbish. Residential waste is commonly thought of as household garbage, commercial wastes contain less putrescible waste and more paper and cardboard.
13. **Sewage Sludge:** Human (not industrial) residue, excluding grit or screenings, removed from a wastewater treatment facility or septic tank, whether in a dry or semidry form.
14. **Tires:** Discarded tire casings.
15. **Other:** Any allowable wastes not included in the above.

Part 3. FACILITY INFORMATION

- A. **Proposed Change:** Check the box that identifies the type of change proposed. Briefly describe the proposed change in the space provided.
 1. **Design Change:** A design change would include but is not limited to: change in footprint, acreage, additional capacity, site improvements, etc.
 2. **Operation:** A change in operation would include but is not limited to: change in hours or days of operation, the addition of an activity, tonnage changes, etc.
 3. **Owner, Operator, Address, and/or Facility Name Change:** Complete if there is a change in the owner, operator, address, or facility name.
 4. **Other:** This type of change includes, but is not limited to: change in emergency contact list, etc. For an application for permit review, if there are no changes, so indicate.
- B. **Facility Information**
 1. **Information Applicable To All Facilities:** This portion of Part 3 must be filled out by every applicant regardless of the type of facility.
 - a. **Peak Daily Tonnage or Cubic Yards:** The peak (maximum) total amount of waste and material the facility is permitted to receive through the gate to store, process, transfer, or dispose per day. This amount shall be expressed in tons, if tonnage is not available or not applicable provide this in cubic yards with a conversion factor. This will be referred to as the "permitted maximum tonnage" and is considered the facility maximum tonnage limit. Must be consistent with the Report of Facility

Information (RFI) and any California Environmental Quality Act (CEQA) existing compliance documentation and/or within the scope of the analysis in a CEQA review, if any, that was being conducted at the time the application was submitted. Volume figures should be converted to tons and the conversion factor should be documented in the accompanying RFI.

1. **Disposal/Transfer:** The amount of material that comes through the gate and is disposed of on-site or transferred off site as waste; and
2. **Other:** That amount of material that is recycled or used for beneficial use such as ADC or other on-site projects. Note: 1 and 2 should equal the peak daily tonnage or cubic yards.
- b. **Daily Design Tonnage (TPD):** For landfills, the maximum daily tonnage of waste and material that the facility is designed to receive based on appropriate factors including, but not limited to, size of working face, vehicle traffic considerations, hours of operation, etc. For other facilities, it is the maximum amount of waste and material the facility is designed to handle at any one-time based on appropriate factors including, but not limited to, vehicle traffic consideration, hours of operations, length of material storage, equipment movement, etc. Design tonnage may be equal to or greater than the peak daily tonnage.
- c. **Facility Size:** The area that encompasses the entire area on which solid waste facility activities occur and are permitted. The area of the facility in acres to be used for receiving, storing, processing, disposing of wastes, and equipment management area, or any area that is required to maintain compliance with the design and operating parameters of the facility. The facility size is the same as "operating area" for composting facilities, "permitted acreage" or "permitted boundaries" for transfer/processing facilities and landfills.
- d. **Peak Traffic Volume Per Day (vpd):** The estimated maximum number of vehicles that will enter the facility on a daily basis. This number should include not only waste vehicles, but all vehicles, laden or empty, entering the facility gate, including personnel vehicles and vehicles transporting cover material. This number must be consistent with the RFI and any CEQA existing compliance documentation and/or within the scope of the analysis in a CEQA review, if any, that was being conducted at the time the application was submitted.
- e. **Days and Hours of Operation:** The days and hours that the facility is in operation and the hours of waste receipt if different from the hours of operation. This information must be consistent with the RFI and any CEQA existing compliance documentation and/or within the scope of the analysis in a CEQA review, if any, that was being conducted at the time the application was submitted. Any activities that are limited to prescribed days and/or hours should be fully described in the RFI.
2. **Additional Information Required For Composting Facilities Only:** This portion of Part 3, section B2, in addition to Part 3, section B1, must be filled out by the applicant if composting is part of this application.
 - a. **Site Storage Capacity:** The total capacity of all feedstock and compost (active, curing, and cured) that can be stored on-site at any one time.
3. **Additional Information Required For Landfills Only:** This portion of Part 3, section B3, in addition to Part 3, section B1, must be filled out by the applicant if a landfill is part of this application. All sections of the application must be filled out completely.
 - a. **Average Daily Tonnage (TPD):** The estimated average waste tonnage expected to be received for each operating day on a yearly basis (calendar year) for the next five years. Do not use non-operating days in estimated/calculating the average daily tonnage. This average daily tonnage can be equal to but may not exceed the peak daily tonnage. Report as tons per day (TPD).
 - b. **Site Capacity Currently Permitted (Airspace) (cu yds):** The volume contained between the excavation plan surface and the final fill plan surface (i.e., from the bottom of the excavation to the top of the final cover) taking into consideration design slopes, benches, and other design features, as authorized by the current SWFP. Site Capacity means the same as Total Site Capacity or Gross Site Capacity.
 - c. **Site Capacity Proposed (Airspace) (cu yds):** Additional site capacity (airspace) requested or potentially resulting from this permit application.
 - d. **Site Capacity Used To Date (Airspace) (cu yds):** The volume of permitted site capacity used to date. See Date of Capacity Information below.
 - e. **Site Capacity Remaining (Airspace) (cu yds):** The total volume of permitted site capacity remaining, not including any proposed site capacity. If the remaining capacity information provided is based on estimates of capacity used since the last physical site survey, please explain the methodology used in preparing the estimates, e.g., weight-to-volume conversion, in-truck volume, etc. See Date of Capacity information below.

- f. **Date Of Capacity Information (date):** The date as of which the remaining and used site capacities in Part 3 were determined. This date may predate the application date by no more than three months. Amendments of the application including more current capacities may be required.
- g. **Last Physical Site Survey (date):** Date when the last aerial or ground survey was conducted upon which the capacity information presented in Part 3 is based in whole or in part. (see Part 6, Section B for more details).
- h. **Estimated Closure Date (month and year):** The closure date estimated based on remaining waste capacity, average disposal volume, waste-to-cover ratio, days of operation, and other appropriate factors. Please note if the closure date is controlled by factors other than waste capacity (e.g., conditional use permit date, etc.)
- i. **Disposal Footprint (acres):** The permitted area where waste will be or has been placed. This will be referred to as "permitted disposal area".
- j. **Site Capacity Planned (cu yds):** The estimated additional site capacity (in cubic yards) based upon any planned expansions not currently proposed, whether within or outside the current permitted boundary.
- k. One of the following:
 1. (i) **In-place Waste Density (lbs of waste per cubic yard of waste).** The in-place waste density is the estimated or measured density of in-place waste material achieved by mechanical or other means in the development of the current lift of the current operating waste cell, and
 - (ii) **Waste-to-Cover Ratio (estimated) (volume:volume).** The waste-to-cover ratio estimate is a unit-less expression of the proportion of the volumes of waste and cover that comprise a volume of compacted fill material, e.g. 4:1. The cover portion of the waste-to-cover ratio estimate should include only soil or approved daily or intermediate alternative cover that is not considered a waste material, i.e., payment of fees to the CIWMB is not required. The waste portion of the waste-to-cover ratio estimate should include only waste material for which payment of fees to the CIWMB is reported, or
 2. **Airspace Utilization Factor (tons of waste per cubic yard of landfill airspace).** The airspace utilization factor (AUF) is the effective density of waste material in the landfill. The AUF is recorded as the total weight of waste material passing over the landfill scales that is placed in a known volume of landfill airspace in a given period of time. The waste portion of the AUF should include only waste material for which payment of fees to the CIWMB is reported.

Part 4. SOURCE OF WATER SUPPLY (This is water used for any purpose at the facility)

- A. **Municipal or Utility Service:** Give name and address of the water purveyor.
- B. **Individual Wells:** Identify those wells that are not part of a municipal or utility service.
- C. **Surface Supply:**
 1. Provide the name of any stream, lake, spring, etc, if identified.
 2. Type of water rights: Check appropriate box to indicate riparian or appropriation.
 3. If a state permit or license has been granted, give identification number.

Part 5. COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

- A. *Check the appropriate box if an environmental document was, or is going to be, prepared and circulated through State Clearinghouse (SCH) to comply with the requirements of CEQA.*
 - *If an environmental document has already been prepared and circulated through the SCH and there is an SCH number, please write this number in the appropriate blank following the box that is checked.*
 - *If an environmental document has not yet been circulated through the SCH and no SCH number has been assigned to the environmental document yet, please check the box for the type of environmental document that is anticipated to be prepared and circulated through the SCH and write N/A in the appropriate blank for "SCH#."*
 - *If the "ADDENDUM TO (Identify environmental document)" box is checked, please provide the type of environmental document that the addendum was prepared for along with the SCH number.*
EXAMPLE ONLY:
 If the environmental document is an environmental impact report (EIR), write "EIR" and include the dates that the EIR was circulated (i.e. from what date to what date). Also, please provide the SCH number for the EIR.

B. If an environmental document was not, and is not planned to be, prepared because it is not required to comply with the requirements of CEQA, please provide the requested information by checking the appropriate box to indicate why an environmental document is not required for CEQA.

- If the "CATEGORICAL/STATUTORY EXEMPTION (CE/SE)" box is checked, please provide the CEQA Guidelines Section number and citation for the exemption.

EXAMPLE ONLY:

A class I categorical exemption from the requirements of CEQA might be cited in the case of a minor repair to an existing facility. Therefore, check the box that says "CATEGORICAL/STATUTORY EXEMPTION (CE/SE)" and write the following in the blank after the box: "CEQA Guidelines, Section 15301, Class I Categorical Exemption."

Part 6. LIST OF ATTACHMENTS (Fill in the date for each document checked)

A. Section A of Part 6 must be completed by all applicants regardless of the type of facility.

B. Section B of Part 6 is additional documents required by landfill applicants only.

- **Operating Liability Financial Mechanism:** The date the demonstration was last modified or renewed. For example, a Certificate of Insurance (CIWMB 07) has an "effective date" identified on the certificate. This date should be within the preceding twelve-month (annual renewal) period.
- **Financial Responsibility Documentation:** The financial mechanism will be a document, (i.e., letter of credit, surety bond, trust fund statement of value, enterprise fund value (balance) statement, etc.) identifying the current dollar value of the demonstration and the date of the stated value. The date should be within the preceding twelve-month (annual renewal) period.
- **Closure/Post Closure Maintenance Plan:** The closure and postclosure maintenance plans are those plans required by Sections 21780 and 21865 as appropriate.

Landfill Capacity Survey Results: For disposal sites permitted for more than 20 tons per day, a ground or aerial survey is to be prepared at least every five years or more frequently as determined by the enforcement agency. For disposal sites permitted for 20 tons per day or less, a ground or aerial survey must be prepared at least once every ten years. If not previously submitted, survey results must be included with this application. Survey results must be submitted as a CADD or vector graphics data file including at least two strata, i.e., 1) a stratum showing the base and finished ground surfaces, and 2) a stratum showing the existing and finished ground surfaces. For disposal sites where a change in permitted volume is proposed, a third stratum showing the base and proposed finished ground surfaces must be included. For each stratum the following information shall be included: site name, stratum name, surface1 name, surface2 name, volume calculation method (grid, composite, section), expansion (cut) factor, compaction (fill) factor, cut volume, fill volume and net volume. All volumes shall be reported in cubic yards. (Title 27, section 21570(f)(10)). If the base ground surface is uncertain, the operator is allowed to provide the best available information as a substitute for the actual as-built contours. If selecting this substitute method, the operator must provide an explanation of the basis for using the substitute base ground surface.

For the purposes of this section the following definitions apply:

- A. "base ground surface" - the best available excavation plan surface that existed prior to the placement of any waste;
- B. "CADD" -computer aided design and drafting;
- C. "compaction (fill) factor" - the factor used to correct for expected compaction of fill material; this factor should normally be unity (one); if the factor is not unity (one), an explanation must be provided for the basis of the volumetric correction;
- D. "cut volume" - for any stratum, the volume removed by a cut of a lower surface to achieve the upper surface;
- E. "existing ground surface" - the topography that exists at the time of the subject survey;
- F. "expansion (cut) factor" - the factor used to correct for expected expansion of a cut surface; this factor should normally be unity (one); if the factor is not unity (one), an explanation must be provided for the basis of the volumetric correction;
- G. "fill volume" - for any stratum, the volume bound between the upper and lower surfaces;
- H. "finished ground surface" - the final fill plan surface as shown in the approved closure plan for the disposal site;
- I. "net volume" - the fill volume less the cut volume;
- J. "site name" - the name of the disposal site for which the survey information is being submitted;
- K. "stratum (plural: strata)" - a particular volume of a solid waste landfill bound by specified upper and lower surfaces;
- L. "stratum name" - a descriptive name for the stratum for which volumetric information is being submitted, e.g., total volume including proposed expansion;

- M. "surface names" - names for the pair of surfaces that define a named stratum, e.g., base ground surface and proposed finished ground surface;
 - N. "survey" - a comprehensive examination of the disposal site under the direction of registered civil engineer or licensed land surveyor for purposes of determining the topography of the base, existing and finished ground surfaces, and the volumes bound by those surfaces;
 - O. "vector graphics" - computer generated images comprised of lines and shapes of given origin, direction, thickness, color and other attributes;
 - P. "volume calculation method" - grid, composite, section or other method approved by the enforcement agency;
- C.** *Section C of Part 6 is additional documents required only if applicable for the type of facility to be covered under this application. Other: List any other document not included above, such as, if the operator is different from landowner, attach lease or franchise agreement documenting operator's interest in real property. Another example would be if there is a contract operator then a copy of the contract between the permitted operator and contract operator and etc.*

Part 7. OWNER INFORMATION:

Type of Business: *Specify if the business is a sole proprietorship, partnership, corporation, or government agency.*

Owner of Land: *The person(s) that owns, in whole or in part, the land on which the facility is located.*

Address, City, State, Zip: Provide the address, city, state, and zip code for the facility owner(s).

SSN or Tax ID #: Provide the SSN or tax identification number for the land owner(s).

Telephone #, Contact Person, Fax #, and E-mail Address: Provide the telephone number, fax #, and e-mail address, and print the contact name.

Address Where Legal Notice May Be Served: Provide an address where legal notice may be served.

Part 8. OPERATOR INFORMATION:

Type of Business: *Specify if the business is a sole proprietorship, partnership, corporation, or government agency.*

Facility Operator: *The person(s) to whom the approval to operate the facility is granted, and is responsible for the overall operation of the facility including but not limited to, complying with regulatory requirements, complying with all applicable federal, state, and local requirements, and the design, construction, and physical operation of the operating area, and control the activities at an facility.-*

Address, City, State, Zip: Provide the address, city, state, and zip code for the facility operator(s).

SSN or Tax ID #: Provide the SSN or tax identification number for the operator(s).

Telephone #, Contact Person, Fax #, and E-mail Address: Provide the telephone number, fax #, and e-mail address, and print the contact name.

Address Where Legal Notice May Be Served: Provide an address where legal notice may be served.

Part 9. SIGNATURE BLOCK:

Signature (landowner or agent): *The person(s) or their agent authorized to sign on behalf of the above owner.*

Signature (facility operator or agent): *The person(s) or their agent authorized to sign on behalf of the operator above.*

Part 10. OTHER:

Attach additional sheets to explain any responses that need clarification.

APPENDIX Z

AB 1497 Public Hearing Process Summary

Suggestion: As in all permitting activities, the LEA should do all the detailed review and drafts with the operator so that when the **official application package** is submitted to the LEA, all paperwork, permits from other agencies, and language in the SWFP documents and application package are ready to process without any changes. This makes the whole procedure and mandatory timelines easier to meet.

1. Application for a Revision to a SWFP received by LEA (Day 1)
Within 30 days of receipt, determine the application complete and correct (by Day 30)
2. Hold public hearing within 60 days of **receipt** of the application package (not when determined complete and correct) – this is the same 60 days in which the LEA is required to submit the proposed revised permit to the CIWMB.
3. At least 10 days prior to the public hearing, notice shall be mailed or delivered, and placed in the local newspaper to announce the date, time and location of the public hearing. Below is an example of a display ad that meets the requirements of Government Code 65091 and 65094. The size of the display ad is to be at least 1/8 page and it is to be in at least one newspaper of general circulation within the local agency jurisdiction. Environmental Justice issues must be considered when selecting a location and wording the ad to ensure it is concise and understandable.

Notice Informational Public Hearing

Revision of the West Contra Costa Sanitary Landfill Solid Waste Facility Permit

Date: August 11, 2004
Time: 7:00 p.m.
Place: Shields-Reid Community Center
1416 Kelsey
Richmond, California

Hearing Agency: Contra Costa County
Environmental Health Department

The purpose of this hearing is to provide information to the public regarding the proposed revision to Solid Waste Facility Permit No. 07-AA-0001 for the West Contra Costa Sanitary Landfill located at the Foot of Parr Boulevard in Richmond. This permit revision includes increasing the height of waste disposal to 160 feet, and the addition of a sludge spreading/drying operation and a wet/dusty materials mixing operation.

For more information, contact Lori Braunesreither, Senior Environmental Health Specialist, at (925) 646-5225 ext. 232.

Notice is mailed or delivered to:

- a. the property owner and to the project applicant,
- b. all owners of real property within 300 feet of the real property that is the subject of the hearing, (Although CIWMB have not yet set a distance, Contra Costa County LEA notified all owners within 1000 feet of the site.)
- c. each local agency expected to provide water, sewage, streets, roads, schools, or other essential facilities or services to the project.

4. Prior to public hearing, notify CIWMB staff of permitting decision and proposed date of public hearing. CIWMB staff may or may not comment on decision and may or may not attend the public hearing.
5. Submit application package, proposed permit, and proof that an AB 1497 public hearing was held. (Day 60)

At the Public Hearing

1. Have the following at the public hearing:
 - a. A sign-in sheet to document all who are present at the hearing
 - b. A court reporter – to prepare a transcript as proof of the public hearing and any testimony or comments made by the public.
 - c. An interpreter for any non-English speaking members of the public
 - d. the operator/applicant – to answer any concerns or technical questions asked by the public
 - e. Your business cards – for anyone who may have questions or wish to talk with you later.
2. Prepare an introduction that identifies the project and the purpose of the public hearing (i.e., “This is an informational public hearing as required under AB 1497 to inform the residents of the area of the proposed revision of the Solid Waste Facility Permit for....”)
3. Although the LEA is not required to respond to any comments from the public, answer any questions they may have. It is important to acknowledge their comments.

Attached to this are the following:

Government Code Section 65091

Government Code Section 65094

AB 1497

FAQ: AB 1497 – Guidance from the CIWMB

Government Code Section 65091 and 65094

65091. (a) When a provision of this title requires notice of a public hearing to be given pursuant to this section, notice shall be given in all of the following ways:

(1) Notice of the hearing shall be mailed or delivered at least 10 days prior to the hearing to the owner of the subject real property or the owner's duly authorized agent, and to the project applicant.

(2) Notice of the hearing shall be mailed or delivered at least 10 days prior to the hearing to each local agency expected to provide water, sewage, streets, roads, schools, or other essential facilities or services to the project, whose ability to provide those facilities and services may be significantly affected.

(3) Notice of the hearing shall be mailed or delivered at least 10 days prior to the hearing to all owners of real property as shown on the latest equalized assessment roll within 300 feet of the real property that is the subject of the hearing. In lieu of utilizing the assessment roll, the local agency may utilize records of the county assessor or tax collector which contain more recent information than the assessment roll. If the number of owners to whom notice would be mailed or delivered pursuant to this paragraph or paragraph (1) is greater than 1,000, a local agency, in lieu of mailed or delivered notice, may provide notice by placing a display advertisement of at least one-eighth page in at least one newspaper of general circulation within the local agency in which the proceeding is conducted at least 10 days prior to the hearing.

- (4) If the notice is mailed or delivered pursuant to paragraph (3), the notice shall also either be:
- (A) Published pursuant to Section 6061 in at least one newspaper of general circulation within the local agency which is conducting the proceeding at least 10 days prior to the hearing.
- (B) Posted at least 10 days prior to the hearing in at least three public places within the boundaries of the local agency, including one public place in the area directly affected by the proceeding.
- (b) The notice shall include the information specified in Section 65094.
- (c) In addition to the notice required by this section, a local agency may give notice of the hearing in any other manner it deems necessary or desirable.
- (d) Whenever a hearing is held regarding a permit for a drive-through facility, or modification of an existing drive-through facility permit, the local agency shall incorporate, where necessary, notice procedures to the blind, aged, and disabled communities in order to facilitate their participation in any hearing on, or appeal of the denial of, a drive-through facility permit. The Legislature finds that access restrictions to commercial establishments affecting the blind, aged, or disabled, is a critical statewide problem; therefore, this subdivision shall be applicable to charter cities.

65094. As used in this title, "notice of a public hearing" means a notice that includes the date, time, and place of a public hearing, the identity of the hearing body or officer, a general explanation of the matter to be considered, and a general description, in text or by diagram, of the location of the real property, if any, that is the subject of the hearing.

=====

**Public Resources Code Sections 43501.5, 44004, and 45011
(AB 1497 Language added)**

- 43501.5. (a) In addition to the requirements of this article, and Section 21780 of Title 27 of the California Code of Regulations, a person who is required to file a final closure plan shall also file with the enforcement agency a Labor Transition Plan that includes all of the following:
- (1) Provisions that ensure, subject to any requirements already established pursuant to a collective bargaining agreement, preferential reemployment and transfer rights of displaced employees to comparable available employment with the same employer for a period of no less than one year following the closure of the solid waste facility.
- (2) Provisions to provide displaced employees assistance in finding comparable employment with other employers.
- (3) Provisions to ensure compliance with all applicable provisions of Chapter 4 (commencing with Section 1400) of Part of 4 of Division 2 of the Labor Code.
- (b) When submitting the final closure plan, the operator shall submit, in addition to the requirements of subdivision (a), a certification to the board and the enforcement agency that the provisions described in paragraphs (1) to (3), inclusive, of subdivision (a), will be implemented, subject to any requirements already established under a collective bargaining agreement.
- (c) For the purposes of this section, "comparable employment" means the same or a substantially similar job classification at equal or greater wage and benefit levels in the same geographic region of the state.

44004. (a) An operator of a solid waste facility may not make a significant change in the design or operation of the solid waste facility that is not authorized by the existing permit, unless the change is approved by the enforcement agency, the change conforms with this division and all regulations adopted pursuant to this division, and the terms and conditions of the solid waste facilities permit are revised to reflect the change.

(b) If the operator wishes to change the design or operation of the solid waste facility in a manner that is not authorized by the existing permit, the operator shall file an application for revision of the existing solid waste facilities permit with the enforcement agency. The application shall be filed at least 180 days in advance of the date when the proposed modification is to take place unless the 180-day time period is waived by the enforcement agency.

(c) The enforcement agency shall review the application to determine all of the following:

(1) Whether the change conforms with this division and all regulations adopted pursuant to this division.

(2) Whether the change requires review pursuant to Division 13 (commencing with Section 21000).

(d) Within 60 days from the date of the receipt of the application for a revised permit, the enforcement agency shall inform the operator, and if the enforcement agency is a local enforcement agency, also inform the board, of its determination to do any of the following:

(1) Allow the change without a revision to the permit.

(2) Disallow the change because it does not conform with the requirements of this division or the regulations adopted pursuant to this division.

(3) Require a revision of the solid waste facilities permit to allow the change.

(4) Require review under Division 13 (commencing with Section 21000) before a decision is made.

(e) The operator has 30 days within which to appeal the decision of the enforcement agency to the hearing panel, as authorized pursuant to Article 2 (commencing with Section 44305) of Chapter 4. The enforcement agency shall provide notice of a hearing held pursuant to this subdivision in the same manner as notice is provided pursuant to subdivision (h).

(f) Under circumstances that present an immediate danger to the public health and safety or to the environment, as determined by the enforcement agency, the 180-day filing period may be waived.

(g) (1) A permit revision is not required for the temporary suspension of activities at a solid waste facility if the suspension meets either of the following criteria:

(A) The suspension is for the maintenance or minor modifications to a solid waste unit or to solid waste management equipment.

(B) The suspension is for temporarily ceasing the receipt of solid waste at a solid waste management facility and the owner or operator is in compliance with all other applicable terms and conditions of the solid waste facilities permit and minimum standards adopted by the board.

(2) An owner or operator of a solid waste facility who temporarily suspends operations shall remain subject to the closure and postclosure maintenance requirements of this division and to all other requirements imposed by federal law pertaining to the operation of a solid waste facility.

(3) The enforcement agency may impose any reasonable conditions relating to the maintenance of the solid waste facility, environmental monitoring, and periodic reporting during the period of temporary suspension. The board may also impose any reasonable conditions determined to be necessary to ensure compliance with applicable state standards.

(h) (1) (A) Before making its determination pursuant to subdivision (d), the enforcement agency shall submit the proposed determination to the board for comment and hold at least one public hearing on the proposed determination. The enforcement agency shall give notice of the hearing pursuant to Section 65091 of the Government Code, except that the notice shall be provided to all owners of real property within a distance other than 300 feet of the real property that is the subject of the hearing, if specified in the regulations adopted by the board pursuant to subdivision

(i). The enforcement agency shall also provide notice of the hearing to the board when it submits the proposed determination to the board.

(B) The enforcement agency shall mail or deliver the notice required pursuant to subparagraph (A) at least 10 days prior to the date of the hearing to any person who has filed a written request for the notice with a person designated by the enforcement agency to receive these requests. The enforcement agency may charge a fee to the requester in an amount that is reasonably related to the costs of providing this service and the enforcement agency may require each request to be annually renewed.

(C) The enforcement agency shall consider environmental justice issues when preparing and distributing the notice to ensure that the notice is concise and understandable for limited-English-speaking populations.

(2) If the board comments pursuant to paragraph (1), the board shall specify whether the proposed determination is consistent with the regulation adopted pursuant to subdivision (i).

(i) (1) The board shall, to the extent resources are available, adopt regulations that implement subdivision (h) and define the term "significant change in the design or operation of the solid waste facility that is not authorized by the existing permit."

(2) While formulating and adopting the regulations required pursuant to paragraph (1), the board shall consider recommendations of the Working Group on Environmental Justice and the advisory group made pursuant to Sections 71113 and 71114 and the report required pursuant to Section 71115.

45011. (a) If an enforcement agency determines that a solid waste facility or disposal site, is in violation of this division, any regulations adopted pursuant to this division, any corrective action or cease and desist order, or any other order issued under this division, or poses a potential or actual threat to public health and safety or the environment, the enforcement agency may issue an order establishing a time schedule according to which the facility or site shall be brought into compliance with this division. The order may also provide for a civil penalty, to be imposed administratively by the enforcement agency, in an amount not to exceed five thousand dollars (\$5,000) for each day on which a violation occurs, if compliance is not achieved in accordance with that time schedule.

(b) Before issuing an order that imposes a civil penalty pursuant to subdivision (a), an enforcement agency shall do both of the following:

(1) Notify the operator of the solid waste facility that the facility is in violation of this division.

(2) Upon the request of the operator of the solid waste facility,

meet with the operator of the solid waste facility to clarify regulatory requirements and to determine what actions, if any, that the operator may voluntarily take to bring the facility into compliance by the earliest feasible date.

Frequently Asked Questions: AB 1497

Chapter 823, Statutes of 2003 ([AB 1497](#), Montanez) as explained in a [November 5, 2003, all LEA message](#), became effective January 1, 2004. The bill added Public Resources Code section 43501.5, and amended sections 44004 and 45011.

The responses to the following frequently asked questions are based on CIWMB staff's interpretation of statute. The responses are intended to serve as guidance for the implementation of statute until the CIWMB can promulgate regulations. The guidance is not enforceable in the same manner as regulations because the CIWMB has not adopted it through the formal rulemaking process. CIWMB staff welcome the continued dialogue on additional questions and potential responses.

Labor Transition Plan

Question 1: Must the operator include provisions for independent contractors in the Labor Transition Plan [PRC 43501.5]?

Answer 1: Labor law is not an area in which CIWMB has expertise. Please consult with your legal counsel regarding how to carry out AB 1497's requirements for Labor Transition Plans. In response to this question, however, note that "independent contractors" are distinguished from "employees." While there are several characteristics that differentiate them, the primary distinction is that employers have the right to control what their employees do and how they do it, whereas employers only control the results of the work their independent contractors do, not the means by which they do it.

Note: Additional guidance related to the Labor Transition Plan requirements is available on the [Local Enforcement Agency Correspondence](#) page.

Public Hearing

The bill requires enforcement agencies (EAs) to make a determination on an application for a revised permit and hold a public hearing within 60 days of receipt of the application [PRC 44004(h)(1)(A)].

Question 2a: If an EA received an application prior to 1/1/04 but deemed it complete and correct after 1/1/04, is a hearing required?

Answer 2a: Yes, a hearing is required if an EA received an application prior to 1/1/04 but deemed it complete and correct after that date.

Question 2b: Is the 60-day timeline measured from the date of first receipt of an application or from the date the EA determines the application is complete and correct?

Answer 2b: The enactment of AB 1497 created some inconsistencies between statute and regulation that CIWMB will attempt to resolve through regulatory changes. The initial informal rulemaking process including public hearing will begin in 2004.

In the interim, it is CIWMB staff's view that the 60-day timeline is measured from the date the EA receives the permit application. During those 60 days, the EA has 30 days to determine if the application is complete and correct [27 CCR § 21650(b); see also 27 CCR § 21570(f)]. If the application is complete and correct, the EA must conduct its preliminary evaluation leading to its proposed determination as to whether a permit revision is required, whether the proposed revision would comply with state law and whether CEQA analysis must be conducted before making such a decision [PRC § 44004(d)]. The EA then has (at least) the remaining 30 days of the 60-day period to hold a public hearing on its tentative

decision [PRC 44004(h)(1)(A)]. If the application is not complete and correct, the EA must reject it within 30 days and so notify the operator [27 CCR §§ 21650(b), (d)] or accept the application as incomplete [27 CCR § 21650(e)].

Question 2c: If an application is deemed incomplete, and the EA accepts the incomplete application, when must a hearing be scheduled?

Answer 2c: By accepting an incomplete application the EA can allow up to 180 days for the applicant to provide a complete application. By regulation, when the EA accepts an incomplete application, the operator must waive the time limit set in PRC § 44009 and has 180 days to submit a complete and correct application [27 CCR § 21650(e)]. Once the application is determined to be complete, the permit processing timeframes are started at the point in the normal process where the EA files the complete and correct application. That triggers the requirement to hold the public hearing within 30 days from the determination that the package is complete and correct.

Question 2d: Does the statute intend for this public hearing to have the same meaning as a hearing set for a California Environmental Quality Act (CEQA) document?

Answer 2d: CEQA does not require any public hearings, although the CEQA Guidelines recommend public hearings on CEQA documents [14 CCR § 15202]. Typically, however, a project that is subject to CEQA will be considered in a public hearing.

For the purpose of this question, CIWMB staff assumes that the questioner means to ask whether AB 1497's public hearing intends the same functional purpose as a public hearing held by a public agency before approving a project, such as a land use entitlement. It is CIWMB staff's view that the statute does not establish a relationship between the AB 1497 hearing and the CEQA process other than indicating that the purpose of the hearing is to make public the preliminary determination of the action to be taken by the EA on the application package. Thus, the EA should present its proposed determination to the public in the hearing, along with its rationale for its determination and should allow for public comment on the determination and the project. It is important to note that this preliminary determination does include determining whether CEQA review is required prior to making the final determination.

Question 2e: If an operator submits an application for a revised permit and the Conditional Use Permit (CUP) still needs a hearing for the same issues, could the EA accept the application as incomplete and hold one hearing for both the CUP and AB 1497?

Answer 2e: Yes. If the meeting is noticed according to the requirements in the statute and the EA is part of the hearing, (i.e. it is clear in the notice and at the hearing that the EA is part of the meeting, that the EA is able to indicate what the preliminary determination is on the application at the meeting, and the EA is available for questions and answers), then the hearing should meet the requirements for both the CUP and AB 1497. Depending on timing, note that it may not be necessary to accept the application as incomplete.

Question 2f: Will the EA be required to respond to the questions or issues raised by the people attending the hearing? If yes, will the EA have to respond to all attendees or just those within the area surrounding the subject property?

Answer 2f: CIWMB staff believes that the EA should be responsive to questions and note issues raised by anyone attending the hearing. However, AB 1497 does not require any specific response by the EA. The EA should attempt to conduct the hearing when the applicant and affected stakeholders can attend as well.

Question 2g: In what format would the CIWMB staff require these responses (see "f " above) to be in and would they need to be forwarded to the CIWMB staff for comment as well?

Answer 2g: The CIWMB staff does not at this time require any formal response or require one to be sent to them. CIWMB staff will continue to encourage EAs to share information with their CIWMB staff counterpart.

Question 2h: I have a transfer facility requesting a revision of its permit. It is owned and operated by a local municipality under our jurisdiction. The local municipality is the Lead Agency on CEQA. They have submitted a Mitigated Negative Declaration to the various agencies as well as us, and we have sent them our comments. The municipality has not held a public hearing on the proposed Mitigated Negative Declaration. We have not received an application for revision of the permit. Would the public hearing that the municipality holds for CEQA satisfy our obligation to hold a hearing under AB 1497?

Answer 2h: The subject of the AB 1497 hearing is the EA's preliminary determination relative to a permit revision application (see PRC 44004(d)). If an application has not been received, the EA would not be able to make a preliminary determination, and would not be able to discuss with the public the basis for its preliminary determination, so holding a hearing would not be of full benefit to the community. A hearing prior to submittal of an application does not follow the steps outlined in the statute. The EA should consider fully participating in the CEQA process, including commenting on the draft document and attending hearings conducted by the Lead Agency. The EA should consider making clear in their comments and testimony provided at hearings that the EA will hold a public hearing (pursuant to AB 1497) upon receipt of a permit revision application, process the permit revision application, and, if appropriate, issue a revised permit prior to the site operator making changes in design or operations.

Question 2i: Is the hearing required by AB 1497 covered by the Brown Act [open meetings]?

Answer 2i: Hearings conducted by a single person as EA are not subject to the Brown Act (covering local "legislative bodies" and their creations), as established by case law (Wilson v. SF Muni Ry, 29 Cal. App. 3d 870 (1973)), or the Bagley-Keene Open Meeting Act (covering "state bodies"), by statute (under section 11121 of the act, the term "state body" refers only to multi-member bodies).

CIWMB Comment on Proposed EA Determination

The statute states that before the EA makes its determination on an application for a revised permit, the EA shall submit the proposed determination to the CIWMB for comment [PRC 44004(h)(1)(A)].

Question 3a: At what point in the 60 days should this go to CIWMB staff for comment?

Answer 3a: The EA's determination on an application for a revised permit needs to be sent to CIWMB staff as soon as possible prior to the hearing to allow sufficient time for the CIWMB staff to provide comments, if it decides to do so.

Question 3b: Is this comment (see "a" above) before or after the public hearing?

Answer 3b: CIWMB staff will attempt to provide the EA with comments prior to or at the hearing, or prior to the need for the EA to make a formal determination regarding the permit application.

Question 3c: What influence does the comments by the CIWMB staff have on the determination?

Answer 3c: CIWMB staff comments will indicate staff's view of what an appropriate determination would be, if its view is different than that provided by the EA. The EA must weigh the degree of influence that this warrants in light of presenting the proposed permit to the CIWMB for concurrence.

Question 3d: If the CIWMB staff disagrees with the determination of the EA, who has the final authority to make the determination?

Answer 3d: The EA has authority to make its own determination. However, the determination, as with all actions or inactions by EAs, is subject to Board review upon consideration of concurrence in the issuance of the permit. PRC 43214(d)(6) gives the CIWMB broad authority to monitor actions of the EA and determine whether those actions are consistent with the PRC and regulations. Therefore, an inappropriate or inconsistent determination by an EA may result in the CIWMB requesting an evaluation of the EA based on the finding. CIWMB staff will continue to work alongside EAs to make every attempt to avoid these situations.

Question 3e: If the disagreement is with the CIWMB staff, what recourse does the EA have to appeal the decision of the CIWMB staff, since this is long before any documents go in front of the Board in a public hearing?

Answer 3e: Disagreements will be subject to further review and discussion between the EA and CIWMB staff. If a mutual resolution cannot be established at this level, the Permitting and Enforcement Division Deputy Director or CIWMB Executive Director could become involved to help the parties resolve disagreements and reach consensus. Such a process would be entirely informal and at the discretion of the Deputy Director and Executive Director. However, if the EA were ultimately found to not have completed the process as required by statute or regulation, the CIWMB could request an evaluation of the EA's performance of those duties.

"Significant Change" Regulations

Question 4: When will the Board have a definition of "significant change in the design or operation of the solid waste facility that is not authorized by the existing permit?" In the interim period, who has the authority to make this determination [PRC 44004(h)(2)(i)(1)]?

Answer 4: The initial informal rulemaking process including significant change will begin in 2004. Progress on the rulemaking can eventually be tracked on the [Proposed Regulations](#) page. In the interim, the EA makes the initial determination for significant change. CIWMB staff will continue to be available for consultation on the issue of significant change upon request of the EA.

Last updated: October 20, 2004

LEA Correspondence from CIWMB

Date: November 5, 2003

To: All Local Enforcement Agencies

This all LEA e-mail was sent on behalf of Howard Levenson, Deputy Director of the Permitting and Enforcement Division of the California Integrated Waste Management Board.

On October 12, 2003, Governor Davis signed AB 1497 into law. The bill amends Public Resources Code sections 44004 and 45011, and adds section 43501.5. The provisions of the bill become effective January 1, 2004.

The purpose of this message is to notify you of the major provisions of the bill and provide you with interim guidance on implementing those provisions.

To assist with your comprehensive review of the new requirements the attached document ([Word 97/6.0](#), 35 KB or [Adobe Acrobat PDF](#), 20 KB) compares actual bill text to existing statutory language.

In summary, AB 1497 contains three major provisions:

1. Labor Transition Plan

- a. Requires the operator of a solid waste landfill to submit, with its final closure plan, a Labor Transition Plan, which must include provisions to ensure preferential reemployment and transfer rights of displaced employees. The operator must *certify* that the Labor Transition Plan will be implemented. The Plan is subject to any requirements already established under a collective bargaining agreement.

Follow up steps: Remediation, Closure and Technical Services Branch staff is developing guidance on this provision. Staff will be working with the EAC and the CIWMB legal office to complete and distribute the guidance to all landfill operators and Enforcement Agencies.

2. Public Hearing (GC 65091 attached)

- a. Requires enforcement agencies to hold a public hearing before making a determination on an application for a revised permit.
- b. Increases from 150 to 180 the number of days in advance of the date when the modification is to take place by which an application for permit revision must be filed.
- c. Increases from 30 to 60 the number of days from the date of receipt of the application for a revised permit by which the enforcement agency must make a determination on the application.
- d. Authorizes the Board, to the extent resources are available, to adopt regulations implementing the public hearing provision and defining "significant change in the design or operation of the solid waste facility that is not authorized by the existing permit."

Follow up steps: The Board is currently assessing its 2004 rulemaking calendar and will determine in December or January if and when it will adopt regulations on public hearings and on significant change. In any event, the Board will not adopt regulations prior to the effective date of the bill (January 1, 2004). The public hearing procedures set forth in statute are specific enough to implement directly until regulations can be developed. Enforcement agencies must hold a public hearing for any application for permit revision received on or after January 1, 2004. CIWMB staff may be providing additional guidance on other types of permit applications received by the LEAs as it relates to the public hearing requirements.

The statutory timelines described in 2.b. and 2.c. above are now **inconsistent** with regulations timelines. Until such time as the Board can make conforming changes to the regulations, enforcement agencies must **adhere to the statutory timelines**. Please see Government Code Section 65091 ([Word 97/6.0](#), 22 KB or [Adobe Acrobat PDF](#), 7 KB) with respect to Public Hearings.

3. Administrative Civil Penalties (ACP)

- a. Provides for the imposition of ACPs for disposal sites.
- b. Removes the \$15,000 per calendar year cap.
- c. Removes the prohibition on imposing an ACP for the first three minor violations of the same requirement or standard.
- d. Removes the requirement that enforcement agencies do all of the following before imposing an ACP:
 - i. Notify the governing body.
 - ii. Consider nature, circumstances, extent, and gravity of the violation and appropriate remedies and penalties.
 - iii. Consider alternatives to the imposition of an ACP.

Please feel free to contact me or [Robert Holmes](#) of my staff at (916) 341-6376 if have questions about AB 1497 and its implementation.

Howard Levenson, Ph.D.
Deputy Director, Permitting & Enforcement
CIWMB, MS #16
P.O. Box 4025
Sacramento, CA 95812-4025
phone: 916-341-6360
email: hlevenso@ciwmb.ca.gov

Attachments

- Comparison of AB 1497 Text to Existing Statutory Language: [Word 97/6.0](#), 35 KB or [Adobe Acrobat PDF](#), 20 KB
- Government Code Section 65091: [Word 97/6.0](#), 22 KB or [Adobe Acrobat PDF](#), 7 KB

APPENDIX AA

LEA Advisory #24 (Revised)—July 26, 2001

When Are 5-Year Permit Reviews Due?

To All Local Enforcement Agencies:

This LEA advisory has been developed to clarify any confusion that has existed regarding when five-year permit reviews are due for full permits. [Public Resources Code \(PRC\) §44015](#) and California Code of Regulation (CCR) [Title 27, Section 21640](#) set the requirement that any Solid Waste Facility Permit (permit) issued or revised shall be reviewed at least once every five years. There has been confusion as to when the five year period is calculated from, either the date of issuance of the permit, or the completion of last five year permit review.

[PRC §44015](#) and CCR [Title 27, Section 21640](#) both state that any permit issued or revised shall be reviewed or revised at least once every five years. The law and regulation both imply that a revision is equivalent to a permit review. A revision will be considered to be equivalent to a five-year permit review. In the case of a full permit, a copy of the permit review report that has been prepared in the last 5 years, should be included with every application package for revision submitted to the Board. You may refer to [LEA Advisory #21](#) for guidance on how to complete five-year permit review reports.

Five year permit reviews will be due five years from the date of the last review or revision, whichever is later, as the law and regulation require. The date of revision will be considered to be the issuance date of the permit. Following are examples of several permits, and guidance for determining when the five-year permit reviews are due.

1. A permit was issued in 1985, revised in 1987, and a five year permit review report was completed in 1991 indicating no revision was needed. The permit will be due for review in 1996.
2. A five year permit review was completed in 1992 indicating a revision was necessary, and a revised permit was not issued until 1993. The permit will be due for review in 1998.
3. A permit was issued in 1989, and was revised in 1993. The permit will be due for review in 1998.
4. Permit "modifications" have since been replaced by the permit "revision" process.
5. A permit was issued in 1984, and a five-year permit review was completed in 1989 indicating that a revision was necessary. In 1994, the permit still had not been revised. A five-year permit review should be conducted in 1994 because the law states the permit shall be reviewed or revised at least once every five years. The permit review report in this case should place emphasis on why the revision was not completed in a timely manner.

Other Resources:

- Permit Toolbox [Permit Review Page](#)
- [LEA Advisory No. 21](#): Format for Permit Review Reports
- [LEA Advisory No. 52](#): Documentation of "No Change" During Permit Review

If you have any questions or need additional information, please contact your [Permitting and Inspection Branch representative](#).

Sincerely,

Original signed by:

Deputy Director
Permitting and Enforcement Division

Publication #232-95-007

The intent of the advisories is to provide guidance to Local Enforcement Agencies (LEA) in performing their duties. Guidance, for this purpose, is defined as providing explanation of the Board's regulations and statutes.

Unless included by reference in the LEA's Enforcement Program Plan (EPP), advisories are not enforceable in the same manner as regulations because they have not been adopted through the formal rulemaking process (see Government Code sections [11340.5](#) and [11342.6](#)). Advisories do not take precedence over statute or regulation.

Last updated: January 3, 2005

APPENDIX BB

Five-Year Permit Review Sample Notification Letter for Full Permits

LEA Notification Letter to Operator

All issued Solid Waste Facility Permits, including the Full, Standardized, and Registration Tiers, are required to be reviewed, and if necessary revised, at least once every five years from the date of issuance. For **Full** Permits, the **LEA** is required to notify the operator at least *180 days* prior to the due date of the permit review.

The following sample letter is intended to be used as guidance and may be customized to fit each facility and situation and may be "cut and pasted" in part or in whole into a notification letter with your agency's letterhead:

Date: [July 1, 1999]

Subject: 5-Year Permit Review
[Name of Facility] [Facility File Number]

Dear [Operator]:

All issued solid waste facility permits are required to be reviewed and, if necessary, revised at least once every five years, pursuant to Public Resources Code 44015(a). This notice is issued pursuant to Title 27, California Code of Regulations, Section 21675:

- **The SWFP issued to [subject facility] on [January 1, 1995], is due for permit review on [January 1, 2000].**

Please submit an application for a permit review (attached) to [LEA Office] within 30 days of receipt of this letter. Upon completion of the review, [LEA] will determine if a revision of the existing SWFP is required.

The operator requirements for submittal of an application are described in Title 27 Section 21640. In summary, the application for permit review shall:

- Identify the proposed changes in design and operation;
- Include updated amendments to the Report of Facility Information (RFI);
- For disposal sites only, include an estimate of the remaining site life and capacity;

In addition to the completed application form, the application shall also contain:

- An updated Report of Facility Information (RFI) and/or amendments;
- Any CEQA review initiated since the the last permit issuance or review;
- Applicable amendments to the County's Integrated Waste Management Plan;
- Amendments to the Conditional Use Permit or other local land use permits;
- Owner/Operator Certification that the information is true and accurate; and

For disposal sites only:

- Amendments to the Closure and Postclosure Maintenance Plan;
- Financial assurance information; and
- Operating liability information.

If this notice is in error, or circumstances exist that you feel exempt your facility from permit review requirements, please provide us with a written explanation within 15 days of receipt of this letter.

Your cooperation is appreciated. If you have any questions about the permit review process, please contact the [LEA Office] at [phone number].

Sincerely,

[LEA]

Attachment: Permit Application Form

cc: California Integrated Waste Management Board,
Permitting and Inspection Branch
8800 Cal Center Drive
Sacramento, CA 95826

Last updated: March 4, 2004

APPENDIX CC

LEA Advisory #21 (Revised)—July 26, 2001 Format for Permit Review Reports

To All Local Enforcement Agencies:

Statute and Regulation require that Local Enforcement Agencies (LEA) review each Solid Waste Facility Permit at least once every five years from the date of issuance. The Permit Desk Manual (rescinded in 1998 and replaced by the [Permit Toolbox](#) in 2001) provided guidance to LEAs on how to conduct permit reviews. However, the majority of that guidance was given in the form of questions that LEAs should keep in mind during the review process. With regard to the preparation of the Permit Review Report, the Permit Desk Manual did not provide a recommended format or a standardized form for use by LEAs. As a result, Permit Review Reports submitted by LEAs have varied widely in form and content.

From a practical standpoint, an LEA conducts a permit review every time a change in the design or operation of the facility occurs or is proposed. However, the result of that review is rarely documented in a Permit Review Report unless the facility is due for a five year review. The purpose of this advisory is to provide LEAs with a recommended format that will allow quick and easy documentation of the permit review process.

In addition to a title or subject line identifying the submitted document as a Permit Review Report for a specific facility, there are four key components to a complete Permit Review Report:

1. A List of the Documents Reviewed
2. A List of Findings Made (including page references)
3. A List of Conclusions Reached Regarding Permit Status and the need for Revision/Suspension/Revocation of the Permit
4. A List of the Directives Given to the Operator

Also see the [Conclusions and Directives Chart](#) in the Permit Toolbox.

In other words, to be complete, a Permit Review Report should answer these questions:

- What did you look at?
- What did you find?
- What did you conclude?
- What did you tell the operator to do?

The [attached form](#) (Word, 743 KB) is provided as an example. At this time, use of the form is highly recommended, but not required. Both electronic and hard copies of the form can be requested from the Permits Branch of the Board.

Other Resources:

- Permit Toolbox [Permit Review Page](#)
- [LEA Advisory No. 24](#): When are 5-Year Permit Review Reviews Due?
- [LEA Advisory No. 52](#): Documentation of "No Change" During Permit Review

If you have any additional questions please contact your [Permitting and Inspection Branch representative](#).

Sincerely,

Original signed by:

Deputy Director
Permitting and Enforcement Division

Attachment

Five-Year Permit Review Report Form: [Word](#) (743 KB) or [PDF](#) (113 KB)

Publication #232-95-003

The intent of the advisories is to provide guidance to Local Enforcement Agencies (LEA) in performing their duties. Guidance, for this purpose, is defined as providing explanation of the Board's regulations and statutes.

Unless included by reference in the LEA's Enforcement Program Plan (EPP), advisories are not enforceable in the same manner as regulations because they have not been adopted through the formal rulemaking process (see Government Code sections [11340.5](#) and [11342.6](#)). Advisories do not take precedence over statute or regulation.

Last updated: January 3, 2005

APPENDIX DD

State of California
CIWMB 678 (New 01/03)

California Integrated Waste
Management Board

5 Year Permit Review Report

Facility Name	Facility Number	Review Date

Documents Reviewed

Document Name	Document Code*	Date	Updates

Findings

Document Code	Page Number	Finding
		<p>*The Document Code is any symbol you choose to represent the name of a document (e.g. EIR, RDSI, CUP, etc.)</p> <p>Check here <input type="checkbox"/> Check here if additional pages have been attached to this form.</p>

Findings (continued)									
----------------------	--	--	--	--	--	--	--	--	--

[illegible]

Conclusions Re: Permit Status (Revision/Suspension/Revocation)


[illegible]

Directives Given to Operator

[illegible]

APPENDIX EE

ember 15, 2005

he of Operator
ility Address

RE: Notification of Five-Year Permit Review for Name of Facility (SWIS #)

Dear Name of Operator:

All issued solid waste facility permits are required to be reviewed and, if necessary, revised at least once every five years, pursuant to Public Resources Code 44015(a). Pursuant to Title 14, Section 18105.9 of the California Code of Regulations, the California Integrated Waste Management Board (CIWMB) is notifying the operator of the 5-year permit review.

The standardized permit issued to **State Clearinghouse Number** is scheduled for review on **[review due date on issued permit]**.

Pursuant to Title 14, Section 18105.9 of the California Code of Regulations (CCR), 35 days prior to the permit review due date, the operator shall review the standardized permit and submit to the LEA, either:

- Certification that the information contained in the controlling permit is current, or
- File a new application pursuant to Section 18105.1. The LEA will process the submittal in accordance with Section 18105.2 and Section 18105.3.


Please submit the required certification or application to the Local Enforcement Agency (LEA) by [35 days prior to review due date on issued permit].

Your cooperation is appreciated. If you have any questions or require additional information, please contact me at [phone #].

Sincerely,

[Name of Senior], Supervising IWMS
Permitting and Inspection Branch
Permitting and Enforcement Division

Cc: [LEA contact name]
[LEA address]

achment 1: [CCR Section 18105.9](#)
achment 2: [Standardized Permit Application Form](#)

Attachment 1:
18105.9 - Standardized Permit Review and Reissuance

(a) Every standardized permit shall be reviewed at least once every five years from the date of issuance or reissuance.

(b) The board shall notify the operator and the enforcement agency 60 days before the standardized permit is due for review.

(c) No fewer than 35 days before the standardized permit is due for review, the operator shall submit either a certification that the information contained in the controlling permit is current, or shall file a new application pursuant to section 18105.1.

(d) If an operator files a certification as specified in subsection (c) above or a new application pursuant to section 18105.1, the enforcement agency shall follow the procedures set forth in sections 18105.2 and 18105.3 and the board shall follow the procedures set forth in section 18105.5.

Note:


Authority cited:

Sections 40502, 43020, and 43021 of the Public Resources Code. Reference:

Sections 43020, 43021, and 44015 of the Public Resources Code.

APPENDIX FF

ember 15, 2005

ne of Operator
Facility Address

RE: Notification of Five-Year Permit Review for Name of Facility (SWIS #)

Dear Name of Operator:

All issued solid waste facility permits are required to be reviewed and, if necessary, revised at least once every five years, pursuant to Public Resources Code 44015(a). Pursuant to Title 14, Section 18104.7 of the California Code of Regulations, the California Integrated Waste Management Board (CIWMB) is notifying the operator of the 5-year permit review.

The registration permit issued to **State Clearinghouse Number** is scheduled for review on **[review due date on issued permit]**.

Pursuant to Title 14, Section 18104.7 of the California Code of Regulations (CCR), 35 days prior to the permit review due date, the operator shall review the registration permit and submit to the LEA, either:

- Certification that the information contained in the controlling permit is current, or
- File a new application pursuant to Section 18104.1. The LEA will process the submittal in accordance with Section 18104.2 and Section 18104.3.

Please submit the required certification or application to the Local Enforcement Agency (LEA) by [35 days prior to permit © due date].

Your cooperation is appreciated. If you have any questions or require additional information, please contact me at [phone #].

Sincerely,

[Name of Senior], Supervising IWMS
Permitting and Inspection Branch
Permitting and Enforcement Division

Cc: [LEA contact name]
[LEA address]

achment 1: [CCR Section 18104.7](#)
Attachment 2: [Registration Permit Application Form](#)

Attachment 1: **18104.7 – Registration Permit Review and Reissuance**

- Every registration permit shall be reviewed at least once every five years from the date of issuance or reissuance.
- The board shall notify the operator and the enforcement agency 60 days before the registration permit is due for review.
- No fewer than 35 days before the registration permit is due for review, the operator shall submit either a certification that the information contained in the controlling registration permit is current, or shall file a new application pursuant to section 18104.1.
- If an operator files a certification as specified in subsection (c) above or a new application pursuant to section 18104.1, the enforcement agency shall follow the procedures set forth in sections 18104.2 and 18104.3.

Note:

Authority cited:

Sections 40502, 43020, and 43021 of the Public Resources Code. **Reference:** Sections 43020, 43021, and 44015 of the Public Resources Code.

APPENDIX GG

Environmental Review Document Preparation Guidelines

The following outlines were developed by Board staff as guides to lead agencies in the preparation of CEQA documentation and to responsible agencies for their review of documentation for the construction and/or operation of a solid waste facility requiring a full solid waste facility permit (SWFP).

- [Disposal Facilities](#)
- [Transfer/Processing Stations](#)
- [Composting Facilities](#)

1. Disposal Facility Outline Negative Declarations, Mitigated Negative Declarations, and EIRs

This outline was developed by California Integrated Waste Management Board staff as a guide to Lead Agencies in the preparation of California Environmental Quality Act (CEQA) documentation and to Responsible Agencies for their review of documentation for the construction and/or operation of a solid waste disposal facility requiring a full solid waste facility permit (SWFP). All of this information is pertinent to the processing and issuance of a SWFP and is of great benefit if discussed fully in an Environmental Impact Report (EIR) or at an appropriate level of detail in a Negative Declaration (ND) or Mitigated Negative Declaration (MND) developed for the issuance of a SWFP. The appropriate level of detail should be determined by early consultation and cooperation between the Lead Agency, Local Enforcement Agency (LEA) and other Responsible Agencies.

I. General Background Information

1. Project Location (including Township, Range and APN where appropriate)
2. Owner and operator of the facility (property owner if different)
3. Name and registration number of site design engineer
4. Need for project
5. Area served and population
 - o city
 - o county
 - o out-of-county
6. Service projections for the life of the facility taking into account AB 939 waste diversion mandates
7. Existing facilities
8. Regional map/ Surrounding Area map
9. Conformance to Waste Management Plan (compliance with PRC Section 50000)
10. Designation in General Plan (compliance with PRC Section 50000.5)
11. Initial Study and environmental checklist.

II. Project Description

1. Site Description
 - o topographical map
 - o size of site (acres)
 - o site design, including but not limited to site/layout map, areas to be filled ("footprint"), sequence of filling, well locations, and property boundaries
 - o total capacity
 - o average and maximum quantity of individual types of waste received daily
 - o sources of individual types of waste received daily
 - o expected facility life span
 - o current land use

- historic land use
 - current zoning
 - detailed environmental setting, including but not limited to climatological factors, physical setting, ground and surface water, soils, surrounding land use
 - classification of disposal site
 - ultimate land uses (postclosure)
 - final height of fill areas
 - type of users of the site (commercial, public, private)
 - construction description (e.g. grading plan)
 - list of approvals required by federal, state and local agencies in order to implement project
2. Design and Operations
- verification of compliance with USEPA, California Department of Health Services, Department of Toxic Substances Control, Air Pollution Control District or Air Quality Management District, Regional Water Control Board, Integrated Waste Management Board, and State Minimum Standards for solid waste handling and disposal requirements.
 - method of disposal
 - construction of cells
 - depth of excavation
 - cover
 - frequency of cover
 - type of cover (use of alternative daily cover)
 - thickness of cover
 - total amount of cover material need for life of site
 - source and supply of cover
 - compaction rate
 - waste characterization
 - equipment
 - number and types
 - emissions
 - stand-by equipment availability, number and type of equipment
 - operating days and hours (days/week, hours/day, start stop times)
 - describe the operating cycle of the facility including hours waste is received, and covered
 - traffic number and type of vehicles
 - access routes (ingress/egress)
 - unloading
 - on-site roads
 - public and commercial routing
 - number and types of vehicles entering and leaving the site per day
 - modifications required during inclement weather
 - emissions
 - provisions for site security (fencing, gates, police or security protection)
 - fire controls
 - nearest fire department
 - on-site
 - vector controls
 - litter controls
 - odor controls
 - dust controls
 - noise and vibration control provisions
 - noise levels generated by the project (construction and operation)
 - vibration levels generated by the project (construction and operation)
 - weight scales
 - resource recovery
 - types
 - volume

- storage
 - time
 - location
 - handling
 - market
 - diversion projections (compliance with AB 939)
- water supply
 - source, well or municipal, sufficiency
- leachate controls (landfill and impoundment basins)
 - liner system type
 - permeability
 - compaction of underlying soils
 - collection system
 - recirculation
- leachate monitoring system
- gas monitoring and control systems
- erosion controls
- sedimentation controls, such as siltation basins and location of such controls
- drainage facilities (run-on and run-off)
 - drainage plan (can be included with site map)
- method of handling special wastes (liquids, sludge, white goods)
- method of handling incidental hazardous waste
 - exclusion
 - storage
 - removal
- description of the contents and the location of the operating record
- number of employees and duties
- site improvements
 - drinking water (well, municipal, bottled)
 - sanitary facilities
 - communications
 - electrical provisions
 - office building
- risk of upset
 - contingency plan
 - public health and safety
 - employee health and safety
- airport safety (compliance with CCR Section 17258.10)
- closure procedures (design, construction, operation)
 - anticipated date
 - gas and leachate monitoring and removal system)
 - final cover
 - thickness
 - permeability
 - grading
 - revegetation
 - responsibility for maintenance
 - responsibility for monitoring
 - postclosure land use (compatible open space or other uses)

III. Existing Environment

1. Climate

- average precipitation
 - seasonal
 - annual
- seasonal temperature range
- wind conditions (windrose)

- direction
 - velocity
 - evaporation rate
 - seasonal
 - annual
- 2. Air
 - baseline air quality data (attainment status)
 - existing emissions
 - landfill equipment
 - hauling vehicles
 - other emission sources
 - project emissions
 - landfill equipment
 - hauling vehicles
 - other emission sources
 - dust including PM-10 data for project construction operations
 - landfill gas emissions
 - leachate evaporation
 - odor
- 3. Surface water
 - existing surface waters (streams, rivers, etc.)
 - drainage courses
 - average seasonal flows
 - greatest anticipated 24 hour or 6 day rainfall amount
 - beneficial uses of waters
 - water quality analyses
 - watershed characteristics
- 4. Subsurface water
 - existing subsurface water (aquifer, aquiclude, etc.)
 - beneficial uses of waters
 - water quality analyses (site specific tests)
 - location of wells within one mile of site
 - depth to groundwater (from site specific tests)
- 5. Geology
 - description of subsurface strata (in place)
 - soils
 - unified soil classification (CH, OH, etc.)
 - soil texture, percent passing through #200 sieve
 - liquid limits
 - plasticity index
 - permeability of soils (field samples)
 - seismicity
 - estimate of seismic risk to the site (faults underlying the site, distance to nearest fault, maximum probable earthquake (MPE), maximum ground acceleration (MGA) of fault, etc.)
 - liquefaction potential
 - differential settlement potential
 - boring logs (include locations)
 - mineral deposits (including gavels)
- 6. Land
 - description of site surface
 - maximum slope on the site
 - slope stability
- 7. Flora
 - description of site flora
 - vegetation which will be permanently removed
 - relation between vegetation and slope stability and erodability
 - rare and endangered flora (including takes)

8. Fauna
 - description of site fauna
 - resident population of rodents and other potential vectors
 - rare and endangered fauna (including takes)
9. Noise
 - local noise ordinance criteria
 - background noise levels at and adjacent to site
 - location of noise receptors (residents, schools, hospitals)
10. Social
 - growth inducement
11. Land use compatibility
 - zoning
 - adjacent land use
 - distance to nearest residences
12. Plan consistency
 - general plan
 - regional plan (CIWMP)
13. Historical/Cultural
 - archaeological sites
 - historical sites
 - cultural sites
14. Traffic
 - existing traffic conditions
15. Aesthetics (compatible with specific general plan policies or viewshed ordinances)

IV. Project related impacts to the following environmental assessment areas and/or cumulative impacts and significant impacts remaining after mitigation

1. Climate
2. Air
3. Water
 - surface
 - subsurface
4. Geology
5. Land
6. Flora
7. Fauna
8. Noise
9. Social
10. Historical/Cultural
11. Traffic
12. Aesthetics (compatible with specific general plan policies or viewshed ordinances)

V. Alternatives (if required)

1. Review of alternative locations
2. Other alternatives (e.g. reduced project)
3. No project

VI. Executive Summary

1. Summary of project and consequences
2. Impacts, mitigation measures and alternatives (table, outline)
3. Areas of controversy
4. Resolution of issues

VII. Organizations and people consulted

1. Public response
2. Public meetings
3. Contributors to report (names and qualifications)
4. Persons consulted

VIII. Mitigation Reporting or Monitoring Program (table)

1. Identification of impacts
2. Identification of mitigation measures
3. Implementation schedule
4. Monitoring frequency
5. Responsible party
6. Enforcement method
7. Conflict resolution plan
8. Compliance with AB 314 and SB 749

CIWMB California Environmental Quality Act Review

California Environmental Quality Act (CEQA) compliance is required for the establishment, expansion, or change in operation(s) of a Solid Waste Facility (SWF) requiring the issuance or revision of a full Solid Waste Facility Permit (SWFP).

Under CEQA Guidelines, CCR Section 15096, the CIWMB acting as a Responsible Agency, is required to use the environmental document (ED) prepared by the Lead Agency in the CIWMB permit approval or concurrence process. Once the ED is completed by the Lead Agency, CIWMB staff, as a Responsible Agency, must determine whether or not the evaluation of potential environmental impacts assessed in the ED is adequate for CIWMB use in the permitting process.

The purpose of CIWMB staff's review of an ED, during the preparation of the document, is to help decision-makers 1) identify potential impacts from proposed projects, 2) determine whether any such impacts are significant, and 3) ascertain whether significant impacts can be mitigated to a level of insignificance in compliance with the CEQA statutes and guidelines. In order for CIWMB staff to ascertain that the ED is adequate for our use in the permitting process, the proposed project must be described in sufficient detail and the potential environmental impacts that may result from the proposed project must be identified and evaluated clearly in the environmental assessment and offer "mitigating measures, if any, included in the project to avoid potentially significant effects" (CEQA Guidelines, Article 6, Section 15071[e]).

If the Lead Agency identifies a potential significant environmental impact but finds that the impact is less than significant or that no mitigation is available or necessary, supporting documentation and/or studies should be specifically referenced and be made available for review or included in the ED to support such analysis.

CEQA Analysis and SWFP Conditions

CEQA Guidelines (CCR) Section 15063(a)(1) states that: "All phases of project planning, implementation and operation must be considered in the Initial Study of the project. "This consideration, when evaluating for a SWFP revision, should consider the potential environmental impacts of any changes in design and operation of the facility that were not specifically considered in the existing SWFP.

When determining the adequacy of an ED for purposes of SWFP concurrence, CIWMB staff will compare the design and operation of the facility as described in the SWFP with the project as described and evaluated in the ED. The first question is: does the CEQA evaluation for potential impacts resulting from the project thoroughly assess the potential primary and secondary impacts to the environment and/or public health and safety? The second question is: does the CEQA evaluation in the ED support the conditions of the proposed permit? For instance, does the ED also assess the potential traffic, noise, dust, vector and other impacts that can be associated with a significant increase in permitted waste throughput requested in a SWFP? When this type of information is included and addressed in the ED, the CEQA process is greatly facilitated. When this type of information is not included in the project description or elsewhere in the ED, it becomes very difficult for CIWMB staff to determine the adequacy of the ED for purposes of our environmental evaluation.

2. Transfer/Processing Stations Outline Negative Declarations, Mitigated Negative Declarations, and EIRs

This outline was developed by California Integrated Waste Management Board staff as a guide to Lead Agencies in the preparation of California Environmental Quality Act (CEQA) documentation and to Responsible Agencies for their review of documentation for the construction and/or operation of a transfer/processing facility requiring a full solid waste facility permit (SWFP). All of this information is pertinent to the processing and issuance of a SWFP and is of great benefit if discussed fully in an Environmental Impact Report (EIR) or at an appropriate level of detail in a Negative Declaration (ND) or Mitigated Negative Declaration (MND) developed for the issuance of a SWFP. The appropriate level of detail should be determined by early consultation and cooperation between the Lead Agency, Local Enforcement Agency (LEA) and other Responsible Agencies.

I. General Background Information

1. Project Location (including Township, Range and APN where appropriate)
2. Owner and operator of the facility (property owner if different)
3. Name and registration number of site design engineer
4. Need for project
5. Area served and population
 - o city
 - o county
 - o out-of-county
6. Service projections for the life of the facility taking into account AB 939 waste diversion mandates
7. Existing facilities
8. Regional map/ Surrounding Area map
9. Conformance to Waste Management Plan (compliance with PRC Section 50000)
10. Designation in General Plan (compliance with PRC Section 50000.5)
11. Initial Study and environmental checklist.

II. Project Description

1. Site Description
 - o topographical map
 - o size of site (acres, square feet)
 - o site design, including but not limited to site/layout map with building locations, turn around areas, storage areas, well locations, and property boundaries
 - o total capacity
 - o average and maximum quantity of individual types of waste received daily
 - o sources of individual types of waste received daily
 - o expected facility life span
 - o current land use
 - o historic land use
 - o current zoning
 - o detailed environmental setting, including but not limited to climatological factors, physical setting, ground and surface water, soils, surrounding land use
 - o ultimate land uses (postclosure)
 - o type of users of the site (commercial, public, private)
 - o construction description (e.g. grading plan)
 - o list of approvals required by federal, state and local agencies in order to implement project
2. Design and Operations
 - o verification of compliance with USEPA, California Department of Health Services, Department of Toxic Substances Control, Air Quality Management District or Air Pollution Control District, California Integrated Waste Management Board, Regional Water Quality Control Board, State Minimum Standards for solid waste handling and disposal requirements

- general facility design
 - configuration and equipment
 - energy recovery components
 - resource recovery components
 - screening of incompatible wastes
 - typical operation cycle, processing time for each phase
- waste characterization
- waste handling method
 - removal frequency
 - final deposition: route, distance and time to travel to disposal site
- equipment
 - number and types
 - emissions
 - stand-by equipment availability, number and type of equipment
- operating days and hours (days/week, hours/day, start stop times)
 - describe the operating cycle of the facility including hours waste is received and transferred
- traffic
 - access routes (ingress/egress)
 - unloading/loading (recovered materials, waste transfer vehicles)
 - on-site roads
 - public and commercial routing
 - number and types of vehicles entering and leaving the site per day
 - emissions
- provisions for site security (fencing, gates, police or security protection)
- fire controls
 - nearest fire department
 - on-site
- vector controls
- litter controls
- odor controls
- dust controls
- drainage
 - surface water run-on and run-off
 - retention ponds, basins
- noise and vibration control provisions
 - noise levels generated by the project (construction and operation)
 - vibration levels generated by the project (construction and operation)
- weight scales
- resource recovery
 - diversion projections (compliance with AB 939)
 - types
 - volume
 - storage
 - time
 - location
 - handling
 - market
 - energy recovery
 - amount
 - type
 - uses
 - delivery
 - water supply
 - source, well or municipal, sufficiency
 - leachate and waste water control
 - separator
 - disposal, public sewer or other

- air emissions
 - background
 - project
- energy consumption
 - transfer facility
 - transportation
 - resource recovery activities
- method of handling special wastes (liquids, sludge, white goods)
- description of method of handling hazardous waste
 - exclusion
 - storage
 - removal
- number of employees and duties
- site improvements
 - drinking water (well, municipal, bottled)
 - sanitary facilities
 - communications
 - office building
- risk of upset
 - contingency plan
 - public health and safety
 - employee health and safety
- visual screening (compatible with specific general plan policies or viewshed ordinances)

III. Existing Environment

1. Climate

- average precipitation
 - seasonal
 - annual
- seasonal temperature range
- wind conditions (windrose)
 - direction
 - velocity
- evaporation rate
 - seasonal
 - annual

2. Air

- baseline air quality data (attainment status)
- existing emissions
 - landfill equipment
 - hauling vehicles
 - other emission sources
- project emissions
 - landfill equipment
 - hauling vehicles
 - other emission sources
 - dust including PM-10 data for project construction operations
- landfill gas emissions
- leachate evaporation
- odor

3. Surface water

- existing surface waters (streams, rivers, etc.)
- drainage courses
- average seasonal flows
- greatest anticipated 24 hour or 6 day rainfall amount
- beneficial uses of waters

- water quality analyses
 - watershed characteristics
- 4. Subsurface water
 - existing subsurface water (aquifer, aquiclude, etc.)
 - beneficial uses of waters
 - water quality analyses (site specific tests)
 - location of wells within one mile of site
 - depth to groundwater (from site specific tests)
- 5. Geology
 - description of subsurface strata (in place)
 - soils
 - unified soil classification (CH, OH, etc.)
 - soil texture, percent passing through #200 sieve
 - liquid limits
 - plasticity index
 - permeability of soils (field samples)
 - seismicity
 - estimate of seismic risk to the site (faults underlying the site, distance to nearest fault, maximum probable earthquake (MPE), maximum ground acceleration (MGA) of fault, etc.)
 - liquefaction potential
 - differential settlement potential
 - boring logs (include locations)
 - mineral deposits (including gavels)
- 6. Land
 - description of site surface
 - maximum slope on the site
 - slope stability
- 7. Flora
 - description of site flora
 - vegetation which will be permanently removed
 - relation between vegetation and slope stability and erodability
 - rare and endangered flora (including takes)
- 8. Fauna
 - description of site fauna
 - resident population of rodents and other potential vectors
 - rare and endangered fauna (including takes)
- 9. Noise
 - local noise ordinance criteria
 - background noise levels at and adjacent to site
 - location of noise receptors (residents, schools, hospitals)
- 10. Social
 - growth inducement
- 11. Land use compatibility
 - zoning
 - adjacent land use
 - distance to nearest residences
- 12. Plan consistency
 - general plan
 - regional plan (CIWMP)
- 13. Historical/Cultural
 - archaeological sites
 - historical sites
 - cultural sites
- 14. Traffic
 - existing traffic conditions
- 15. Aesthetics (compatible with specific general plan policies or viewshed ordinances)

IV. Project related impacts to the following environmental assessment areas and/or cumulative impacts and significant impacts remaining after mitigation

1. Climate
2. Air
3. Water
 - surface
 - subsurface
4. Geology
5. Land
6. Flora
7. Fauna
8. Noise
9. Social
10. Historical/Cultural
11. Traffic
12. Aesthetics (compatible with specific general plan policies or viewshed ordinances)

V. Alternatives (if required)

1. Review of alternative locations
2. Other alternatives (e.g. reduced project)
3. No project

VI. Executive Summary

1. Summary of project and consequences
2. Impacts, mitigation measures and alternatives (table, outline)
3. Areas of controversy
4. Resolution of issues

VII. Organizations and People Consulted

1. Public response
2. Public meetings
3. Contributors to report (names and qualifications)
4. Persons consulted

VIII. Mitigation Reporting or Monitoring Program (table)

1. Identification of impacts
2. Identification of mitigation measures
3. Implementation schedule
4. Monitoring frequency
5. Responsible party
6. Enforcement method
7. Conflict resolution plan
8. Compliance with AB 314 and SB 749

CIWMB California Environmental Quality Act Review

California Environmental Quality Act (CEQA) compliance is required for the establishment, expansion, or change in operation(s) of a Solid Waste Facility (SWF) requiring the issuance or revision of a full Solid Waste Facility Permit (SWFP).

Under CEQA Guidelines, CCR Section 15096, the CIWMB acting as a Responsible Agency, is required to use the environmental document (ED) prepared by the Lead Agency in the CIWMB permit approval or concurrence process. Once the ED is completed by the Lead Agency, CIWMB staff, as a Responsible

Agency, must determine whether or not the evaluation of potential environmental impacts assessed in the ED is adequate for CIWMB use in the permitting process.

The purpose of CIWMB staff's review of an ED, during the preparation of the document, is to help decision-makers 1) identify potential impacts from proposed projects, 2) determine whether any such impacts are significant, and 3) ascertain whether significant impacts can be mitigated to a level of insignificance in compliance with the CEQA statutes and guidelines. In order for CIWMB staff to ascertain that the ED is adequate for our use in the permitting process, the proposed project must be described in sufficient detail and the potential environmental impacts that may result from the proposed project must be identified and evaluated clearly in the environmental assessment and offer "mitigating measures, if any, included in the project to avoid potentially significant effects" (CEQA Guidelines, Article 6, Section 15071[e]).

If the Lead Agency identifies a potential significant environmental impact but finds that the impact is less than significant or that no mitigation is available or necessary, supporting documentation and/or studies should be specifically referenced and be made available for review or included in the ED to support such analysis.

CEQA Analysis and SWFP Conditions

CEQA Guidelines (CCR) Section 15063(a)(1) states that: "All phases of project planning, implementation and operation must be considered in the Initial Study of the project. "This consideration, when evaluating for a SWFP revision, should consider the potential environmental impacts of any changes in design and operation of the facility that were not specifically considered in the existing SWFP.

When determining the adequacy of an ED for purposes of SWFP concurrence, CIWMB staff will compare the design and operation of the facility as described in the SWFP with the project as described and evaluated in the ED. The first question is: does the CEQA evaluation for potential impacts resulting from the project thoroughly assess the potential primary and secondary impacts to the environment and/or public health and safety? The second question is: does the CEQA evaluation in the ED support the conditions of the proposed permit? For instance, does the ED also assess the potential traffic, noise, dust, vector and other impacts that can be associated with a significant increase in permitted waste throughput requested in a SWFP? When this type of information is included and addressed in the ED, the CEQA process is greatly facilitated. When this type of information is not included in the project description or elsewhere in the ED, it becomes very difficult for CIWMB staff to determine the adequacy of the ED for purposes of our environmental evaluation.

3. Composting Facilities Outline Negative Declarations, Mitigated Negative Declarations, and EIRs

This outline was developed by California Integrated Waste Management Board staff as a guide to Lead Agencies in the preparation of California Environmental Quality Act (CEQA) documentation, and to Responsible Agencies for their review of documentation for the construction and/or operation of a solid waste disposal facility requiring a full solid waste facility permit (SWFP) or a Standardized SWFP, under the CIWMB Regulatory Tiered Permit framework. All of the information is pertinent to the processing and issuance of a full SWFP, or a Standardized SWFP, and is of great benefit if discussed fully in an Environmental Impact Report (EIR) or at an appropriate level of detail in a Negative Declaration (ND) or Mitigated Negative Declaration (MND) developed for the issuance or revision of a SWFP.

This outline is intended to assist the Lead Agency in the identification and consideration of issues that the Lead Agency might wish to address in the preparation of their environmental documents (EDs), at the Lead Agency's discretion. This is not a list of issues that the CIWMB will require to be addressed in order to deem the ED adequate for CIWMB approval purposes. The appropriate level of detail for an ED should be determined by early consultation and cooperation between the Lead Agency, Local Enforcement Agency (LEA) and other Responsible Agencies, and is at the discretion of the Lead Agency.

I. General Background Information

1. Project Location (including Township, Range and APN where appropriate)
2. Owner and operator of the facility (property owner if different)
3. Name and registration number of site design engineer
4. Need for project
5. Service projections for the life of the facility taking into account AB 939 waste diversion mandates
6. Existing facilities
7. Regional map/ Surrounding Area map
8. Conformance to Waste Management Plan (compliance with PRC Section 50000)
9. Designation in General Plan (compliance with PRC Section 50000.5)
10. Initial Study and environmental checklist

II. Project Description

1. Site Description
 - o topographical map
 - o size of site (acres)
 - o site design, including but not limited to site/layout map, active compost area, feedstock storage areas, well locations, drainage features, and property boundaries
 - o total site capacity for active compost (in cubic yards)
 - o average and maximum quantity of individual types of feedstock processed in tpd (green material, manure, MSW, wood chips, special waste etc.)
 - o maximum quantities of active compost, feedstocks, amendments, and additives on hand at one time (in cubic yards)
 - o sources of individual types of waste received daily
 - o expected facility life span
 - o current land use
 - o historic land use
 - o current zoning
 - o detailed environmental setting, including but not limited to climatological factors, physical setting, ground and surface water, soils, surrounding land use
 - o classification of disposal site if sited on a landfill (SWFP #)
 - o type of users of the site (commercial, public, private)
 - o construction description (e.g. grading plan, drainage plan)
 - o list of approvals required by federal, state and local agencies in order to implement project
2. Design and Operations

- verification of compliance with USEPA, California Department of Health Services, Department of Toxic Substances Control, Air Pollution Control District or Air Quality Management District, Regional Water Control Board, Integrated Waste Management Board, and State Minimum Standards for solid waste handling and disposal requirements.
- method of composting
 - construction
 - windrow, static, "in vessel"
 - forced air, mechanical
 - maximum height, length and width, spacing
 - typical operation cycle, processing time for each phase
 - evaporative emissions (volatiles)
 - type of emission
 - rate of production
- additives
 - type, amount and application method
 - chemical (e.g. fertilizer)
 - bulking agent
 - microbial
- monitoring
 - feedstock types
 - type of test
 - frequency
 - responsible party
 - reporting method
 - provisions for handling unacceptable feedstock
 - process (composting material)
 - type of test (temperature, moisture)
 - frequency
 - responsible party
 - reporting method
 - leachate
 - type of test (metals, pathogens, nitrogen)
 - frequency
 - responsible party
 - reporting method
 - product
 - type of test (metals, pathogens, nitrogen)
 - frequency
 - responsible party
 - reporting method
- water supply
 - source, well or municipal, sufficiency
 - to piles, windrows
 - to grinders
 - to mixers
 - for fire suppression
 - for drinking supply
- waste characterization
- equipment
 - number and types
 - emissions
 - stand-by equipment availability, number and type of equipment
- operating days and hours (days/week, hours/day, start stop times)
 - describe the operating cycle of the facility including hours waste is received, windrows are turned, product is removed
- traffic number and type of vehicles
 - access routes (ingress/egress)

- unloading
 - on-site roads
 - public and commercial routing
 - number and types of vehicles entering and leaving the site per day
 - modifications required during inclement weather
 - emissions
- provisions for site security (fencing, gates, police or security protection)
- fire controls
 - nearest fire department
 - on-site
- vector controls
- litter controls
- odor controls
- dust controls
- noise and vibration control provisions
 - noise levels generated by the project (construction and operation)
 - vibration levels generated by the project (construction and operation)
- weight scales
- product storage
 - volume
 - time
 - location
 - handling
- leachate containment
 - low permeability barrier, pad liner
 - material type
 - availability
 - permeability, moisture content
 - collection and containment system
 - recirculation plan
- erosion controls
- sedimentation controls, such as siltation basins and location of such controls
- drainage facilities (run-on and run-off)
 - drainage plan (can be included with site map)
- method of handling special wastes (liquids, sludge, white goods)
- method of handling incidental hazardous waste
 - exclusion
 - storage
 - removal
- number of employees and duties
- site improvements
 - drinking water (well, municipal, bottled)
 - sanitary facilities
 - communications
 - electrical provisions
 - office building
- risk of upset
 - contingency plan
 - public health and safety
 - employee health and safety

III. Existing Environment

1. Climate

- average precipitation
 - seasonal
 - annual
- seasonal temperature range

- wind conditions (windrose)
 - direction
 - velocity
- evaporation rate
 - seasonal
 - annual
- 2. Air
 - baseline air quality data (attainment status)
 - existing emissions
 - landfill equipment
 - hauling vehicles
 - other emission sources
 - project emissions
 - landfill equipment
 - hauling vehicles
 - other emission sources
 - dust including PM-10 data for project construction operations
 - landfill gas emissions
 - leachate evaporation
 - odor
- 3. Surface water
 - existing surface waters (streams, rivers, etc.)
 - drainage courses
 - average seasonal flows
 - greatest anticipated 24 hour or 6 day rainfall amount
 - beneficial uses of waters
 - water quality analyses
 - watershed characteristics
- 4. Subsurface water
 - existing subsurface water (aquifer, aquiclude, etc.)
 - beneficial uses of waters
 - water quality analyses (site specific tests)
 - location of wells within one mile of site
 - depth to groundwater (from site specific tests)
- 5. Geology
 - description of subsurface strata (in place)
 - soils
 - unified soil classification (CH, OH, etc.)
 - soil texture, percent passing through #200 sieve
 - liquid limits
 - plasticity index
 - permeability of soils (field samples)
 - seismicity
 - estimate of seismic risk to the site (faults underlying the site, distance to nearest fault, maximum probable earthquake (MPE), maximum ground acceleration (MGA) of fault, etc.)
 - liquefaction potential
 - differential settlement potential
 - boring logs (include locations)
 - mineral deposits (including gavels)
- 6. Land
 - description of site surface
 - maximum slope on the site
 - slope stability
- 7. Flora
 - description of site flora
 - vegetation which will be permanently removed
 - relation between vegetation and slope stability and erodability

- rare and endangered flora (including takes)
- 8. Fauna
 - description of site fauna
 - resident population of rodents and other potential vectors
 - rare and endangered fauna (including takes)
- 9. Noise
 - local noise ordinance criteria
 - background noise levels at and adjacent to site
 - location of noise receptors (residents, schools, hospitals)
- 10. Social
 - growth inducement
- 11. Land use compatibility
 - zoning
 - adjacent land use
 - distance to nearest residences
- 12. Plan consistency
 - general plan
 - regional plan (CIWMP)
- 13. Historical/Cultural
 - archaeological sites
 - historical sites
 - cultural sites
- 14. Traffic
 - existing traffic conditions
- 15. Aesthetics (compatible with specific general plan policies or viewshed ordinances)

IV. Project related impacts to the following environmental assessment areas and/or cumulative impacts and significant impacts remaining after mitigation

- 1. Climate
- 2. Air
- 3. Water
 - surface
 - subsurface
- 4. Geology
- 5. Land
- 6. Flora
- 7. Fauna
- 8. Noise
- 9. Social
- 10. Historical/Cultural
- 11. Traffic
- 12. Aesthetics (compatible with specific general plan policies or viewshed ordinances)

V. Alternatives (if required)

- 1. Review of alternative locations
- 2. Other alternatives (e.g. reduced project)
- 3. No project

VI. Executive Summary

- 1. Summary of project and consequences
- 2. Impacts, mitigation measures and alternatives (table, outline)
- 3. Areas of controversy
- 4. Resolution of issues

VII. Organizations and people consulted

1. Public response
2. Public meetings (date and time)
3. Contributors to report (names and qualifications)
4. Persons consulted

VIII. Mitigation Reporting or Monitoring Program (table)

1. Identification of impacts
2. Identification of mitigation measures
3. Implementation schedule
4. Monitoring frequency
5. Responsible party
6. Enforcement method
7. Conflict resolution plan
8. Compliance with AB 314 and SB 749

CIWMB California Environmental Quality Act Review

California Environmental Quality Act (CEQA) compliance is required for the establishment, expansion, or change in operation(s) of a Solid Waste Facility (SWF) requiring the issuance or revision of a full Solid Waste Facility Permit (SWFP) or Standardized Permit.

Under CEQA Guidelines, CCR Section 15096, the CIWMB acting as a Responsible Agency, is required to use the environmental document (ED) prepared by the Lead Agency in the CIWMB permit approval or concurrence process. Once the ED is completed by the Lead Agency, CIWMB staff, as a Responsible Agency, must determine whether or not the evaluation of potential environmental impacts assessed in the ED is adequate for CIWMB use in the permitting process.

The purpose of CIWMB staff's review of an ED, during the preparation of the document, is to help decision-makers 1) identify potential impacts from proposed projects, 2) determine whether any such impacts are significant, and 3) ascertain whether significant impacts can be mitigated to a level of insignificance in compliance with the CEQA statutes and guidelines. In order for CIWMB staff to ascertain that the ED is adequate for our use in the permitting process, the proposed project must be described in sufficient detail and the potential environmental impacts that may result from the proposed project must be identified and evaluated clearly in the environmental assessment and offer "mitigating measures, if any, included in the project to avoid potentially significant effects" (CEQA Guidelines, Article 6, Section 15071[e]).

If the Lead Agency identifies a potential significant environmental impact but finds that the impact is less than significant or that no mitigation is available or necessary, supporting documentation and/or studies should be specifically referenced and be made available for review or included in the ED to support such analysis.

CEQA Analysis and SWFP Conditions

CEQA Guidelines (CCR) Section 15063(a)(1) states that: "All phases of project planning, implementation and operation must be considered in the Initial Study of the project." This consideration, when evaluating for a SWFP revision, should consider the potential environmental impacts of any changes in design and operation of the facility that were not specifically considered in the existing SWFP.

When determining the adequacy of an ED for purposes of SWFP concurrence, CIWMB staff will compare the design and operation of the facility as described in the SWFP with the project as described and evaluated in the ED. The first question is: does the CEQA evaluation for potential impacts resulting from the project thoroughly assess the potential primary and secondary impacts to the environment and/or public health and safety? The second question is: does the CEQA evaluation in the ED support the conditions of the proposed permit? For instance, does the ED also assess the potential traffic, noise, dust, vector and other impacts that can be associated with a significant increase in permitted waste throughput requested in a SWFP? When this type of information is included and addressed in the ED, the CEQA process is greatly facilitated. When this type of information is not included in the project description or elsewhere in the ED, it becomes very difficult for CIWMB staff to determine the adequacy of the ED for purposes of our environmental evaluation.

APPENDIX HH

CEQA Terms and Definitions

Adoption - To formally accept or consent to an environmental document and put it into effective operation) mostly applicable to Negative Declarations)

Agency review - Process by which environmental documents are circulated for the purposes of sharing expertise, disclosing agency analyses, checking for accuracy, detecting omissions, discovering public concerns, and soliciting counter proposals

Alternatives - Other possible options in lieu of the proposed project, including "No project" (CCR §15126[d])

Approval - Accepting or sanctioning as satisfactory a project

Authority to Comment - Any person or entity other than a Responsible Agency may submit comments to a Lead Agency concerning any environmental effects of a project being considered by the Lead Agency

Commenting agency - State or local agencies who consider the environmental document prepared by the Lead Agency but have no decision relative to the project

California Environmental Quality Act (CEQA) - State law enacted in 1970 as a system of checks and balances for land-use development and management decisions in California; requires an analysis of potential development projects to determine the potential environmental effects of the project. In most cases it extends beyond federal statutes established under the National Environmental Policy Act (NEPA), after which it was modeled

Categorical exemption - A class of projects exempt from CEQA based on a finding by the Secretary of the Resources Agency that the class of projects does not have a significant effect on the environment (CCR §15300 et seq.)

Certification - Formal assertion by the Lead Agency that the final EIR was prepared in compliance with CEQA, that the decision-making body reviewed and considered the EIR prior to approving the project, and that it has independently reviewed and analyzed the data found in the EIR (CCR §15090)

Consideration - The Lead Agency must certify that its decision-making body carefully examined the final EIR before approving the project

Cumulative impacts - Two or more environmental impacts which, when considered together, are considerable, compound, or increase other environmental impacts (CCR §15130 and 15355)

Decision-Making Body - Any person or group of people within a public agency permitted by law to approve or disapprove the project (CCR §15356)

Direct impacts - Primary effects which are caused by the project and occur at the same time and place (CCR §15358)

Discretionary Approval - Consent or sanction by a public agency with the power or right to act officially, in certain circumstances using its judgment in deciding whether and how to carry out or approve a project

Early consultation - Lead agency informally consults with all Responsible Agencies and all Trustee Agencies responsible for resources affected by the project to obtain the recommendations of those agencies as to whether an EIR or a Negative Declaration should be prepared (CCR §15063[g])

Environment - Physical conditions existing within an area which will be directly or indirectly affected by a proposed project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historical or aesthetic significance (CCR §15360)

Environmental documents - Includes Initial Studies, Negative Declarations, draft and final EIRs, documents prepared as substitutes for EIRs and Negative Declarations under a program certified pursuant to PRC § 21080.5, and documents prepared under NEPA and used by a state or local agency in the place of an Initial Study, Negative Declaration, or an EIR (CCR §15361)

Environmental Impact Report (EIR) - An environmental review document that describes and analyzes the significant environmental effects of a project and discusses means to mitigate those effects (CCR §15080 et seq.)

addendum - a section of material containing minor technical changes or additions which do not raise important new issues about the significant effects on the environment, but are necessary to make the EIR under consideration adequate; added prior to a decision on the project; need not be recirculated for public review

draft - a tentative, provisional or preparatory version of the EIR document that reflects the independent judgment of the Lead Agency; the Lead Agency is responsible for the adequacy and objectivity of the draft regardless of who prepared the document (CCR §15084)

final - last or conclusive version of the EIR that includes comments / recommendations made to the draft EIR and the Lead Agency's responses to them. CEQA guidelines § 15132 outlines the required contents; a separate review of the final document is not required, but can be submitted directly to the decision-making body

focused - an EIR on a subsequent project identified in a Master EIR; analyzes only the subsequent project's additional significant effects on the environment where substantial new or additional information shows that the adverse environmental impact may be more significant than was described in the Master EIR

master - evaluates cumulative impacts, growth inducing impacts, and irreversible significant effects on the environment of subsequent projects (PRC §11157)

program - considers the environmental effects of a series of related actions that can be characterized as one large project (CCR §15168)

staged - considers the environmental effects of a large capital project that will require a number of discretionary approvals from government agencies and one of the

approvals will occur more than two years before construction will begin (CCR §15167)

subsequent - where subsequent or substantial changes occur in the circumstances under which a project is undertaken, or if new information of substantial importance becomes available, requiring important revisions to a previous EIR or ND, a subsequent EIR shall be prepared. It must receive the same circulation and review as the previous EIR (CCR §15162)

supplemental - additional minor information or changes with later approvals submitted after the original EIR (CCR §15163)

Environmental Impact Statement (EIS) - Document prepared under the National Environmental Policy Act. CEQA guidelines CCR §15220 et seq. outline procedures for projects subject to both CEQA and NEPA

Environmental setting - A description of the environmental resources and physical conditions within the vicinity of the project area, e.g., topography, plants and animals, and manmade structures, the CEQA guidelines Appendix H, item numbers 33 and 34 provide additional information

Exemption - If a public agency determines during the preliminary review that a particular activity has no possibility of causing a significant environmental effect, the activity will not be subject to CEQA (CCR §15260 et seq.)

Feasible - Capable of being accomplished within a reasonable time; considering, economic, environmental, legal, social, and technological factors (CCR §15364)

Feasible alternative - One which can be "accomplished within a reasonable period of time, taking into account economic, legal, social and technological factors." (CCR §15364)

Findings - Made by a public agency approving a project for which an EIR has been prepared and significant environmental effects have been identified; possible findings include; changes have been included in the project which avoid or reduce impacts, another agency has made changes to avoid impacts, specific considerations make mitigation measures infeasible; must be supported by substantial evidence in the record (CCR §15091)

Finding of No Significant Impacts (FONSI) - Finding made in the NEPA process that is roughly equivalent to a negative declaration.

Guidelines - Refers to the "State CEQA Guidelines". Regulations developed by the Secretary for the Resources Agency to be followed by all state and local agencies in California in the implementation of the California Environmental Quality Act, and available through the Governor's Office of Planning and Research, 1400 Tenth Street, Sacramento, CA 95814

Indirect impacts - Secondary effects which are caused by the project and are later in time or farther removed in distance, but still reasonably foreseeable, e.g., growth-inducing effects (CCR §15358)

Initial study - A preliminary analysis prepared by the Lead Agency to determine whether an EIR or ND must be prepared, or to identify significant environmental effects to be analyzed in an EIR (CCR §15063)

Initial study checklist - Part of an initial study identifying environmental effects. A suggested format is found in the CEQA guidelines. Each agency is encouraged to adopt their own list

Lead agency - The public agency which has the principal responsibility for carrying out or approving a project (CCR §15367)

Litigation - A lawsuit; a contest in court of law for the purpose of enforcing a right or seeking a remedy, based on allegations that the CEQA process was not followed appropriately

Local agency - Any public agency other than a state agency, board, or commission, (e.g., cities, counties, charter cities and counties, districts, school districts, special districts, redevelopment agencies, local agency formation commissions, and any other board, commission, or organizational subdivision of a local agency when so designated by order or resolution of the governing legislative body of the local agency) (CCR §15368)

Mandatory findings of significance - Criteria by which public agencies determine whether or not a proposed project may have a significant effect on the environment resulting in the need to prepare an EIR (CCR §15065)

Ministerial - Describes a governmental decision involving little or no personal judgment by the public official as to the wisdom or manner of carrying out the project, e.g., automobile registrations, dog licenses, and marriage licenses (CCR §15369)

Mitigation measure - Changes made in the project to - avoid; minimize; rectify; reduce or eliminate; or compensate for; environmental impacts that would otherwise occur (CCR §15370)

Mitigation reporting and monitoring program (MRMP) - A mandatory program to identify mitigation measures, and ensure compliance during project implementation; with those measures that have been made a condition of project approval (PRC §21081.6)

National environmental policy act (NEPA) - Federal legislation to establish policy and procedures to protect the physical environment (CCR §15220)

Negative declaration (ND) - A document from the lead agency, describing why a project will not have a significant effect on the environment, and will therefore, not require an EIR CCR §15371)

mitigated - a Negative Declaration that shows potential significant effects that plan revisions have mitigated to a point where no significant effects would occur (CCR §15370)

Notice of completion (NOC) - A notice from the lead agency to inform the OPR that a document has been completed, and that copies are ready for review. The NOC is transmitted to all potential state responsible agencies (CCR §15372)

Notice of determination (NOD) - A notice, from a public agency, to be filed after the agency determines to approve, or is carrying out a project for which there has been CEQA compliance (CCR §15373)

Notice of exemption (NOE) - A notice, from a public agency, after a decision to carry out or approve a project that the project is exempt from CEQA (CCR §15374)

Notice of preparation (NOP) - A notice, from the lead agency, to inform other agencies of plans to prepare an EIR for a project (CCR §15082, §15375)

Office of Planning and Research (OPR) - An agency established by the governor; responsible for drafting CEQA Guidelines, and for oversight of the State Clearinghouse

Public hearing - A hearing, open to the general public, to allow verbal comment on projects relative to the CEQA process (CCR §15202)

Public review - A statutory requirement providing the public with the opportunity to review documents and to provide written comments (CCR §15200)

Project - The whole of an action, which has a potential for resulting in a physical change in the environment, directly or ultimately (CCR §15378)

Project description - A description of the project including: detailed maps, environmental setting, a statement of objectives, an operation plan, a statement of the intended uses of the EIR, and a general description of the project's technical, economic, and environmental characteristics. The project description is also to be included in a Negative Declaration (CCR §15124)

Recirculation - Provides a second public review period for an EIR, when significant new information is added to the EIR following the initial public review period

Responsible agency - All public agencies, other than the lead agency, that have discretionary approval powers over a project (CCR §15381)

Scoping - Early consultation to help clarify extent, operation, agency involvement, and the appropriate level of environmental analysis for a project. Usually completed after the decision to prepare an EIR (CCR §15083)

Shortened review - Provisions that allow the Office of Planning and Research, upon request from the Lead Agency, to shorten the normal review periods for EIRs and Negative Declarations (CCR §15111)

Significant effect - A substantial, or potentially substantial, adverse change in the physical conditions within the area affected by the project (CCR §15382)

State clearinghouse (SCH) - A state agency in the Governor's Office of Planning and Research that is responsible for distributing environmental documents for review and comment to State agencies and for coordinating State agency comments to the Lead Agency (CCR §15023)

Statement of overriding considerations - A written explanation as to why an agency decided to carry out, or approve a project that has significant, unmitigated environmental impacts (CCR §15093)

Statutory authority - Authority given by laws enacted by the legislative branch of a government

Statutory exemptions - Projects specifically exempted from CEQA review by statute (CCR §15260 et seq.)

Statutes of limitation - Restrictions on the amount of time allowed to file court actions challenging the approval of a project (CCR §15112)

Tiering - The covering of general matters in broader EIRs, with more site-specific information covered in a narrower, subsequent EIR (CCR §15385)

Time limits - Statutory and regulatory requirements stating maximum and minimum time periods for reviewing documents, or taking other actions pertaining to a project (CCR §15102)

Trustee agency - A state agency having jurisdiction by law over natural resources which are held in trust for the people of California (CCR §15386)